

# Attendance Sheets

District	Last Name	Present	Absent	Present/Late
District 14 - Town of Wappinger	Amparo	✓		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		✓	
District 3 - Town of LaGrange	Borchert	✓		
District 18 - City of Beacon and Town of Fishkill	Farley	✓		
District 6 - Town of Poughkeepsie	Flesland	✓		
District 21 - Town of East Fishkill	Horton	✓		
District 22 - Towns of Beekman and Union Vale	Hutchings	✓		
District 4 - Town of Hyde Park	Ignaffo	✓		
District 15 - Town of Wappinger	Incoronato	✓		
District 10 - City of Poughkeepsie	Jeter-Jackson	✓		
District 9 - City of Poughkeepsie	Johnson	✓		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey	✓		
District 16 - Town of Fishkill and City of Beacon	MacAvery	✓		
District 17 - Town and Village of Fishkill	Miccio	✓		
District 1 - Town of Poughkeepsie	Nesbitt	✓		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	✓		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓		
District 8 - City and Town of Poughkeepsie	Rolison	✓		
District 5 - Town of Poughkeepsie	Roman	✓		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	✓		
District 20 - Town of Red Hook	Strawinski	✓		
District 24 - Towns of Dover and Union Vale	Surman	✓		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	✓		
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓		
District 12 - Town of East Fishkill	Weiss	✓		
<b>Present:</b> _____	<b>Total:</b>	<b>24</b>	<b>1</b>	
<b>Absent:</b> _____				
<b>Vacant:</b> _____				

Date: 6/8/15

Board Meeting  
of the  
Dutchess County Legislature

Monday, June 8, 2015

The Clerk of Legislature called the meeting to order at 7:00 p.m.

Roll Call by the Clerk of the Legislature

PRESENT: 24     Amparo, Borchert, Farley, Flesland, Horton, Hutchings,  
                         Ignaffo, Incoronato, Jeter-Jackson, Johnson, Kelsey,  
                         MacAvery, Miccio, Nesbitt, Perkins, Pulver, Rolison,  
                         Roman, Sagliano, Strawinski, Surman, Thomes, Tyner,  
                         Weiss

ABSENT:     1     Bolner

PRESENT, LATE:

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Dr. Matthew Calkins of Grace Episcopal Church in Millbrook, followed by a moment of silent meditation.

**Presentations:**

6<sup>th</sup> Annual Hudson Valley Stroll for Epilepsy

**Commendations:**

Commendation:     Dr. Kenneth Glatt

Commendation:     Cornell University Cooperative Extension's Green  
                         Teen Community Gardening Program – Beacon  
                         10<sup>th</sup> Anniversary

Commendation: Eagle Scout Daniel Reilly

Commendation: Eagle Scout Jared Bucko

Commendation: Eagle Scout Eddie Miller

Commendation: Eagle Scout Benjamin D. Kocik

**Proclamations:**

Proclamation: Recognizing June 12<sup>th</sup> As World Elder Abuse  
Awareness Day 2015

The Chairman entertained a motion from the floor, duly seconded, to suspend the rules to allow the public to address the Legislature with respect to agenda items.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke in opposition to leases in excess of five years and in favor of the police dog.

Dan Balisone, Town of LaGrange, spoke in favor of having a police dog work with people that were testifying, but was opposed to the cost of the dog.

No one else wishing to be heard, the Chairman entertained a motion from the floor, duly seconded, to resume the regular order of business.

Chairman Rolison entertained a motion to approve the May 2015 minutes.

The May 2015 minutes were adopted.

## **COMMUNICATIONS RECEIVED FOR THE JUNE 2015 BOARD MEETING**

Received from County Clerk, Summary of Mortgage Tax collected April 2015 – May 2015.

Received from NYS Board of Elections, letter requesting State Legislation to combine the 2016 presidential primary and 2016 congressional primary in order to save New York an estimated fifty million dollars.

Received call from Town of Wappinger resident, Tom Marsh, regarding domestic violence. He asked Legislators keep in mind there should be more laws regarding false child abuse and domestic violence allegations and there should be equal domestic violence programs for both men and women.

Received from the Dutchess County Department of Law- In Rem Foreclosure of Tax Liens/Certificate of Withdrawals on the following:

- 1) 131 Jansen Road Corp.
- 2) 139 Jansen Road Corp.
- 3) 545 Grape Hollow Road Corp.
- 4) 549 Grape Hollow Road Corp.

Received correspondence from Assemblyman Cahill:

Response to correspondence sent from Carolyn Morris regarding S.164 of 2005, eliminating school property taxes on primary residences and provide for the implementation of a local income tax to finance public education. He is sponsoring bill A.1104, "Equality in Education Act".

Acknowledged receipt of Dutchess County Legislature's Resolutions Nos. 2015107, 2015109 and 2015127 which were adopted in April 2015.

Received from County Comptroller, Project MORE audit for January 1, 2013 to December 31, 2014.

Received from Phantom Fireworks, thank you letter supporting the local law allowing for the sale of sparklers and sparking devices.

Received email from Mary Sobenko opposing Resolution 2015085, (changing the hours of wine and liquor stores)

## RESOLUTION NO. 2015156

RE: AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS (D.5142)

Legislators HUTCHINGS, JOHNSON, WEISS, SAGLIANO, FARLEY, and JETER-JACKSON offer the following and move its adoption:

WHEREAS, the Deputy Commissioner of Public Works advises that the Highway Construction and Maintenance Division is in need of additional funds for snow and ice control materials to purchase and replace the materials already used by the County and its eight contracted Town highway departments in 2015 and provide them with materials needed to treat County roads in October through December 2015, and

WHEREAS, the appropriation of these funds are critical for the upcoming winter season, and

WHEREAS, it is necessary to amend the 2015 Adopted County Budget to provide additional funds to meet the County's needs, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2015 Adopted County Budget as follows:

APPROPRIATIONSIncrease

D.5142.1050	Overtime	\$ 15,000
D.5142.4137	Ice Control Materials	\$375,000
D.5142.4624	Road Maintenance Srv. Contracts	<u>\$ 60,000</u>
	Total:	\$450,000

## REVENUES

Increase

D.5142.50310	Interfund Transfer	<u>\$450,000</u>
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APPROPRIATIONSDecrease

A.1990.4007	General Contingency	(\$450,000)
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Increase

A.9901.65.9000	Interfund Transfer	
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CA-098-15 CAB/kvh/G-0188 5/13/15 Fiscal Impact: See attached statement

STATE OF NEW YORK

COUNTY OF DUTCHESS

ss:

**APPROVED**  
\$450,000  
**MARCUS J. MOLINARO**  
**COUNTY EXECUTIVE**  
Date 6/16/2015

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ 450,000

Total Current Year Revenue \$ 0  
and Source

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,  
☐ Transfer of Existing Appropriations, ☒ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

D.5142.1050 - increase amended budget from \$260,086 to \$275,086 (increase of \$15,000)  
D.5142.4137 - increase amended budget from \$1,051,000 to \$1,426,000 (increase of \$375,000)  
D.5142.4624 - increase amended budget from \$270,000 to \$330,000 (increase of \$60,000)

Related Expenses: Amount \$ 0

Nature/Reason:

Amend 2015 Operating Budget D.5142 due to funding shortfalls resulting from severe 2014-2015 winter season

Anticipated Savings to County: \$ 0

Net County Cost (this year): \$450,000  
Over Five Years: \_\_\_\_\_

Additional Comments/Explanation:

Prepared by: Robert H. Balkind, P.E.

Prepared On: 5/12/15

Discussion on Resolution No. 2015156, resulted as follows:

Legislator Tyner spoke regarding the amount of sodium in drinking water from road salt.

Legislator Miccio called Point of Order stating that the resolution was to pay bills, not to discuss how much salt was being used.

Legislator Tyner, duly seconded by Legislator Farley, moved to amend the resolution by adding the following:

RESOLVED, that the Dutchess County Legislature requests that the Dutchess County Department of Public Works evaluate the cost and feasibility of following the example of East Fishkill to save tax dollars.

Chairman Rolison asked Counsel if the amendment was germane to the resolution.

Scott L. Volkman, Legislative Counsel, stated this resolution was for obtaining materials for the balance of the year and not just for the past. He further stated that the amendment was unrelated to what this resolution was trying to accomplish and added that it was a separate policy issue about the type of materials that were being used. He added that this resolution was an inter-fund transfer to balance the budget to meet the department's needs to the rest of the year. He stated that this resolution was really a budgetary issue.

Chairman Rolison ruled the amendment out of order.

Roll call on the foregoing resolution resulted as follows:

AYES:        24     Amparo, Borchert, Farley, Flesland, Horton, Hutchings,  
                         Ignaffo, Incoronato, Jeter-Jackson, Johnson, Kelsey,  
                         MacAvery, Miccio, Nesbitt, Perkins, Pulver, Rolison,  
                         Roman, Sagliano, Strawinski, Surman, Thomes, Tyner,  
                         Weiss

NAYS:        0

ABSENT:     1     Bolner

The foregoing resolution was adopted.

## ***Public Works and Capital Projects Roll Call***

<i><b>District</b></i>	<i><b>Name</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<i>absent</i>	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	<i>absent</i>	
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		
Present: <u>9</u>	Resolution: <u>✓</u>	Total : <u>9</u>	<u>0</u>
Absent: <u>3</u>	Motion: <u>    </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2015156** AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS (D.5142)

Date: June 4, 2015



# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

*Chairman  
out  
of  
order*

Present: 24  
Absent: 1  
Vacant: 0

Resolution: ✓  
Motion: ✓

Total:           
Yes          No           
Abstentions:         

*Tyner - Farley*

*Resolved, that the Dutchess County Legislature request that the Dutchess County Department of Public Works evaluate the cost and feasibility of following the example of East Fishkill to save tax dollars.*

*2015156  
6-8-15*

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 24 0  
           Yes      No  
 Abstentions: 0

**2015156** AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS (D.5142)

Date: June 8, 2015

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2015157

BOND RESOLUTION DATED JUNE 8, 2015.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$353,500 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY PART OF THE COST OF RENOVATIONS TO THE DUTCHESS COUNTY AUTO CENTER, IN AND FOR SAID COUNTY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, by a bond resolution dated March 10, 2014, authorizing the issuance of \$1,818,000 bonds for renovations to certain facilities, the County Legislature of the County of Dutchess, New York, duly adopted said bond resolution to include authorizing the issuance of \$202,000 bonds of said County to pay the cost of renovations to the Dutchess County Auto Center, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, in and for said County of Dutchess, New York, and

WHEREAS, it has now been determined that the maximum estimated cost of such class of objects or purposes is \$2,171,500, an increase of \$353,500 over that previously authorized, such increase being for work at the Dutchess County Auto Center; and

WHEREAS, it is now desired to authorize the issuance of an additional \$353,500 bonds of said County for such class of objects or purposes; NOW, THEREFORE,

BE IT RESOLVED, by the County Legislature of the County of Dutchess, New York, as follows:

Section 1. For the object or purpose of paying additional costs of renovations to the Dutchess County Auto Center, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, in and for said County of Dutchess, New York, there are hereby authorized to be issued an additional \$353,500 bonds of the County of Dutchess, New York, pursuant to the provisions of the Local Finance Law. Financing for said object or purpose was originally authorized, including work at the County Records Retention Facility, as part of a class of objects or purposes.

Section 2. It is hereby determined that the maximum estimated cost of such class of objects or purposes is now determined to be \$2,171,500, and that the plan for the financing thereof is as follows:

- a. by the issuance of the \$1,818,000 bonds of said County authorized to be issued pursuant to a bond resolution dated and duly adopted March 10, 2014 as described in the preambles hereof; and
- c. by the issuance of the additional \$353,500 bonds of said County authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 25 years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first obligations issued for said class of objects or purposes.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if

said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in full in *The Poughkeepsie Journal* and the *Southern Dutchess News*, the official newspapers of said County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

\* \* \* \* \*

CERTIFICATION FORM

STATE OF NEW YORK     )  
                                      ) ss.:  
COUNTY OF DUTCHESS    )

I, the undersigned Clerk of the County Legislature of the County of Dutchess, New York (the "Issuer"), DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on June 8, 2015, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 24 ayes and 0 noes, with 1 member being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on June 16, 2015, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

I FURTHER certify that all members of said Legislature had due notice of said meeting, and that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:



Newspaper and/or other news media

Date given

Southern Dutchess News

June 5, 2015

Poughkeepsie Journal

June 5, 2015

and that I further duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)  
of posted notice

Date of Posting

22 Market Street, 6<sup>th</sup> Floor, County Office Building  
Poughkeepsie, NY 12601

June 5, 2015

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 9<sup>th</sup> day of June 2015.



Carol Morris

Clerk, County Legislature

APPROVED

Marcus J. Molinaro  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE

Date 6/16/2015

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the County Legislature of the County of Dutchess, New York, on the 8th day of June 2015 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said County is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Date: Poughkeepsie, New York

June 23, 2015

  
Clerk, County Legislature

Auto Service Center Renovation - DPW Highway

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$353,500	\$14,140	\$12,373	\$26,513
2	339,360	14,140	11,878	26,018
3	325,220	14,140	11,383	25,523
4	311,080	14,140	10,888	25,028
5	296,940	14,140	10,393	24,533
6	282,800	14,140	9,898	24,038
7	268,660	14,140	9,403	23,543
8	254,520	14,140	8,908	23,048
9	240,380	14,140	8,413	22,553
10	226,240	14,140	7,918	22,058
11	212,100	14,140	7,424	21,564
12	197,960	14,140	6,929	21,069
13	183,820	14,140	6,434	20,574
14	169,680	14,140	5,939	20,079
15	155,540	14,140	5,444	19,584
16	141,400	14,140	4,949	19,089
17	127,260	14,140	4,454	18,594
18	113,120	14,140	3,959	18,099
19	98,980	14,140	3,464	17,604
20	84,840	14,140	2,969	17,109
21	70,700	14,140	2,475	16,615
22	56,560	14,140	1,980	16,120
23	42,420	14,140	1,485	15,625
24	28,280	14,140	990	15,130
25	14,140	14,140	495	14,635

<b>TOTAL</b>	<u>\$353,500</u>	<u>\$160,843</u>	<u>\$514,343</u>
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<b>AVG. PER YEAR</b>	\$14,140	\$6,434	\$20,574
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**FISCAL IMPACT STATEMENT**

TOTAL PRINCIPAL	\$353,500	
ANTICIPATED INTEREST RATE		3.50%
TERM	25 YEARS.	ANTICIPATED FEES:
		\$3,500
ANTICIPATED ANNUAL COST (PRIN + INT):		\$20,574
TOTAL PAYBACK (ANNUAL COST x TERMS):		\$514,343

# H0459 - 2014 DPW Building Reconstruction

## APPROPRIATIONS

### Increase

H0459.1620.3150	Building-Reconstruction	\$350,000
H0459.1620.3900	Bond Issuing Costs	\$3,500
		<u>\$353,500</u>

## REVENUES

### Increase

H0459.1620.57100	Serial Bonds	\$353,500
		<u>\$353,500</u>

## Resolution 2015157

**From:** Knille, Noel  
**Sent:** Tuesday, June 02, 2015 11:33 AM  
**To:** 'Don Sagliano'; Morris, Carolyn  
**Cc:** Ellison, Michael; Wager, Leigh; O'Neil, William  
**Subject:** RE: Message from "Legislature6thFL"

Don:

On March 10, 2014 Resolution 2014031 was passed by the Legislature authorizing \$1.8 million for two projects - the Re-Roof of the County Records Storage Building (\$0.8 million estimated) and Renovations to the Auto Service Center (\$1.0 million). Both projects were design and bid in late 2014.

The Re-Roof of the Records Center is currently underway and will likely end up having a final project cost of just about \$0.6 million. Thus leaving approximately \$1.2 million for the Auto Service Center (ASC) Renovations.

The ASC Project was originally bid in the late fall of 2014; the total construction amount from bids received on December 10, 2014 was \$1,700,970 (including 4 alternates). The design fee (\$104,116) is in addition, as would be any contingency amount. Thus the total for just the construction bids and the design fee (no contingency amount) would have been \$1,805,086. We only had \$1,200,000 to utilize.

After consideration of the bids, DPW worked with CPL (the consultants) to trim down the design wherever possible and DPW requested that CPL re-package the bid documents adding several more alternates. It was intended that more alternates would allow the project to potentially proceed and stay within the \$1.2 million allocated.

New bids were received at the end of March 2015. After detailed evaluation, the total construction amount of the bids plus alternates that we would need to include in order to maintain the integrity of the project is as follows:

Total of Construction Base Bids (General Construction, Electrical, Plumbing, Mechanical)	\$1,067,150
Alt #1 (Accessible toilet)	\$27,800
Alt #4 (Lift - Bldg 2 + Tire Shop)	\$133,580
Alt #5 (3 Vehicle Lifts in Bldg 1)	\$89,900
Alt #6 (Tire Rack Storage System)	\$36,620
Alt #10 (Exhaust Reel System)	\$30,350
<u>Alt #11 (Wall Surface Prep and Paint)</u>	<u>\$4,680</u>
Construction Total (without contingency)	\$1,390,080
<u>Design Fees</u>	<u>+\$104,116</u>
Construction Total +Design Fees	\$1,494,196
<u>Construction Contingency (approx 4 %)</u>	<u>+\$55,804</u>
Project Total	\$1,550,000
Amount currently available	-\$1,200,000
<b>Additional amount of funding requested</b>	<b>\$350,000</b>

(This would not include a new CCTV system which could be added at a later date if necessary.)

**An additional \$350,000 is requested to proceed with the Renovations to the Auto Service Center.**

So in answer to the question about the breakdown of additional funds, the additional funds requested are a consequence of the original request for funding being based on a rough estimate that was done prior to any design

of the proposed project, and both rounds of bids were higher than the architect's estimate which was based on the final design.

Please let me know if you have any additional questions.

Best,

Noel

Noel H.S. Knille, AIA, ASLA  
Commissioner  
Dutchess County Department of Public Works  
626 Dutchess Turnpike  
Phone: (845) 486-2085 Fax: (845) 486-2099  
e-mail: [nknille@dutchessny.gov](mailto:nknille@dutchessny.gov)

[www.dutchessny.gov](http://www.dutchessny.gov)

## ***Public Works and Capital Projects Roll Call***

<i><b>District</b></i>	<i><b>Name</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<i>absent</i>	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	<i>absent</i>	
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 9  
 Absent: 3  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 9 0  
           Yes No  
 Abstentions: 0

**2015157** A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$353,500 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY PART OF THE COST OF RENOVATIONS TO THE DUTCHESS COUNTY AUTO CENTER, IN AND FOR SAID COUNTY

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present:	<u>24</u>	Resolution:	<u>✓</u>	Total :	<u>24</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<u>    </u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

**2015157** A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$353,500 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY PART OF THE COST OF RENOVATIONS TO THE DUTCHESS COUNTY AUTO CENTER, IN AND FOR SAID COUNTY

Date: June 8, 2015



RESOLUTION NO. 2015158

RE: AUTHORIZE APPROPRIATION OF THE COUNTY'S PORTION  
OF THE CONSTRUCTION AND CONSTRUCTION ADMINISTRATION  
COSTS AND AMENDING THE 2015 ADOPTED COUNTY BUDGET  
AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS –  
AVIATION (EA.0472)

Legislators HUTCHINGS, SAGLIANO, PERKINS, and FARLEY offer the following and move its adoption:

WHEREAS, Resolution No. 2014186 authorized the acceptance of a grant offers from the Federal Aviation Administration (FAA) and the New York State Department of Transportation (NYSDOT) for the replacement of the Airport's electrical building (airfield lighting vault) design phase, amended the 2014 adopted County Budget and created a capital project account in connection therewith, and

WHEREAS, the Commissioner of Public Works has advised that the design phase is complete for the replacement of the Airport's electrical building and said project is ready to begin the construction phase, and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQR") and (2) will not have a significant effect on the environment, and

WHEREAS, the Commissioner of Public Works has advised that the estimated cost of construction and construction administration for this project and the estimated allocations of the funding in the total amount of \$689,000, of which \$620,100 is Federal Grant funds, \$34,450 is State funds, and \$34,450 is County funds, and now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2015 Adopted County Budget and the capital account for the said project as follows:

APPROPRIATIONS

Increase

EA0472.5610.3550	Airport Improvements	<u>\$689,000</u>
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REVENUES

Increase

EA0472.5610.45890.00	Other Transp. Capt. Proj.-Federal	\$620,100
EA0472.5610.35890.00	Other Transp. Capt. Proj. –State	34,450
EA0472.5610.50310	Interfund Transfers	<u>34,450</u>
		<u>\$689,000</u>

APPROPRIATIONS

Increase

A.9950.9801 Contribution to EA capital \$ 34,450

Decrease

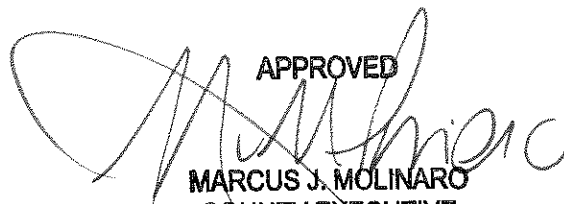
A.1990.4007 General Contingency \$ 34,450

CA-102-15

kvh/G-0103

5/22/15

Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 6/10/2015

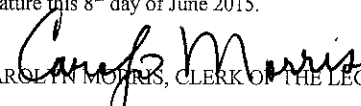
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 689,000

Total Current Year Revenue \$ 654,550  
and Source

Federal- \$620,100

State- \$34,450

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,  
☐ Transfer of Existing Appropriations, ☒ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

See Attached Detail

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \$34,450  
Over Five Years: \_\_\_\_\_

#### Additional Comments/Explanation:

In 2014 resolution 2014186 was passed accepting an FAA grant and approving the County portion for the design of the Replacement of the Airport's Electrical Building (airfield lighting vault). This design is completed and the project is ready for construction.

Prepared by: Noel Knille, Commissioner Department of Public Works

## ***Public Works and Capital Projects Roll Call***

<i><b>District</b></i>	<i><b>Name</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<i>absent</i>	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	<i>absent</i>	
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: <u>9</u>	Resolution: <u>✓</u>	Total : <u>9</u>
Absent: <u>3</u>	Motion: <u>    </u>	Yes <u>0</u>
Vacant: <u>0</u>		No <u>0</u>

**2015158** AUTHORIZE APPROPRIATION OF THE COUNTY'S PORTION OF THE CONSTRUCTION AND CONSTRUCTION ADMINISTRATION COSTS AND AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS – AVIATION (EA.0472)

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
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District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24

Absent: 1

Vacant: 0

Resolution: ✓

Motion: —

Total: 24 0

Yes No

Abstentions: 0

**2015158** AUTHORIZE APPROPRIATION OF THE COUNTY'S PORTION OF THE CONSTRUCTION AND CONSTRUCTION ADMINISTRATION COSTS AND AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS – AVIATION (EA.0472)

Date: June 8, 2015

RESOLUTION NO. 2015159

RE: AUTHORIZE APPROPRIATION OF THE COUNTY'S PORTION  
OF THE CONSTRUCTION AND CONSTRUCTION ADMINISTRATION  
COSTS AND AMENDING THE 2015 ADOPTED COUNTY BUDGET  
AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS –  
AVIATION (EA.0475)

Legislators BOLNER HUTCHINGS, PERKINS, and FARLEY offer the following and move its adoption:

WHEREAS, Resolution No. 2014216 authorized the acceptance of a grant offer with the Federal Aviation Administration (FAA) for the design phase of the project entitled "Realign Taxiway A – Approximately 550' x 50' (Design) Project #3-36-0100-043-2014" at the Dutchess County Airport, amended the 2014 adopted County Budget and created a capital project account, and

WHEREAS, the Commissioner of Public Works has advised that the design phase is complete for the project concerning the Taxiway A and said project is ready to begin the construction phase, and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQR") and (2) will not have a significant effect on the environment, and

WHEREAS, the Commissioner of Public Works has been advised that the estimated cost of the construction and construction administration for this project, and the estimated allocations of the funding in the total amount of \$937,000, of which \$843,300 are Federal Grant funds, \$46,850 are State funds, and \$46,850 are County funds, and now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2015 Adopted County Budget and the capital account for the said project as follows:

APPROPRIATIONS

Increase

EA0475.5610.3550	Airport Improvements	<u>\$937,000</u>
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REVENUES

Increase

EA0475.5610.45890.00	Other Transp. Capt. Proj.-Federal	\$843,300
EA0475.5610.35890.00	Other Transp. Capt. Proj. –State	46,850
EA0475.5610.50310	Interfund Transfers	<u>46,850</u>
		<u>\$937,000</u>

APPROPRIATIONS

Increase

A.9950.9801	Contribution to EA capital	\$ 46,850
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Decrease

A.1990.4007	General Contingency	\$ 46,850
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CA-103-15

kvh/G-0103

5/21/15

Fiscal Impact: See attached statement

APPROVED



MARCUS J. MOLINARO  
COUNTY EXECUTIVE

Date 6/16/2015

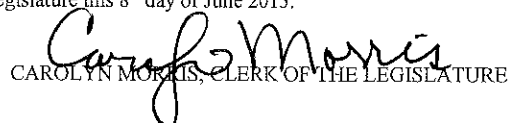
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 937,000

Total Current Year Revenue \$ 890,150  
and Source

Federal- \$843,300  
State- \$46,850

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,  
☐ Transfer of Existing Appropriations, ☒ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):  
See Attached Detail

Related Expenses: Amount \$ \_\_\_\_\_  
Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \$46,850  
Over Five Years: \_\_\_\_\_

### Additional Comments/Explanation:

In 2014 resolution 2014216 was passed accepting an FAA grant and approving the County portion for the design of the realignment of taxiway A. This design is completed and the project is ready for construction.

Prepared by: Noel Knille, Commissioner Department of Public Works



## ***Public Works and Capital Projects Roll Call***

<i><b>District</b></i>	<i><b>Name</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<i>absent</i>	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	<i>absent</i>	
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 9  
 Absent: 3  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 9 0  
                   Yes       No  
 Abstentions: 0

**2015159** AUTHORIZE APPROPRIATION OF THE COUNTY'S PORTION OF THE CONSTRUCTION AND CONSTRUCTION ADMINISTRATION COSTS AND AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS – AVIATION (EA.0475)

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
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District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
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District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present:	<u>24</u>	Resolution:	<u>✓</u>	Total :	<u>24</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<u>—</u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

**2015159** AUTHORIZE APPROPRIATION OF THE COUNTY'S PORTION OF THE CONSTRUCTION AND CONSTRUCTION ADMINISTRATION COSTS AND AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS – AVIATION (EA.0475)

Date: June 8, 2015

RESOLUTION NO. 2015160

RE: CONFIRMING REAPPOINTMENTS AND A NEW APPOINTMENT  
TO DUTCHESS COUNTY PLANNING BOARD

Legislators MICCIO, HORTON, STRAWINSKI, IGNAFFO, JETER-JACKSON, PERKINS, KELSEY, SAGLIANO, and FARLEY offer the following and move its adoption:

WHEREAS, Section 12.03 of the Dutchess County Charter, empowers the County Executive to appoint nine (9) members of the Dutchess County Planning Board including one member from the City of Poughkeepsie and one member from the City of Beacon subject to confirmation by the Dutchess County Legislature, and

WHEREAS, Section 12.03 of said Charter empowers the County Executive to make appointments to the Dutchess County Planning Board for the purpose of filling new appointments and vacancies thereon, and

WHEREAS, Section 12.03 of the Charter also provides for the Dutchess County Legislature to appoint four (4) members to the Dutchess County Planning Board, and

WHEREAS, the Dutchess County Planning Board currently has six members that wish to be reappointed, which are all County Executive appointees, and one position that requires a new appointment now, therefore, be it

RESOLVED, that the following individuals be reappointed or appointed to serve as volunteer members of the Dutchess County Planning Board:

REAPPOINTMENT

TERM

Colleen Cruikshank  
39 South Street  
Rhinebeck, NY 12572

1/1/2015-12/31/2017

Joel Diamond  
PO Box 396  
Millbrook, NY 12545

1/1/2015-12/31/2017

Michael Dupree  
30 Curry Lane  
Hyde Park, NY 12538

1/1/2015-12/31/2017

APPROVED

  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE

Date 6/16/2015

Hans Klingzahn  
966 Main Street  
Fishkill, NY 12524

1/1/2015-12/31/2017

Fredrick Wilhelm  
22 Gretna Woods Road  
Pleasant Valley, NY 12569

1/1/2015-12/31/2017

J. Randall Williams  
1218 North Avenue  
Beacon, NY 12508

1/1/2015-12/31/2017


NEW APPOINTMENT

TERM

Hans Hardisty  
12 Whitehall Road  
Poughkeepsie, NY 12603

1/1/2015-12/31/2016

CA-096-15  
CAB/sc/G-180  
4/21/15

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 6/10/2015

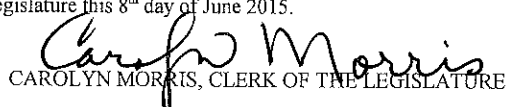
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## HANS W. HARDISTY, MBA

12 Whitehall Rd. • Poughkeepsie, NY 12603 • hanshardisty@gmail.com • 914-489-7909

### EXPERIENCE

#### HWH ADVISORS LLC

Poughkeepsie, NY

*Owner*

March 2014 - Present

- Launched a commercial consulting company that provides specialized business development, online marketing, and niche insurance program services.
- Generated a \$62 Million-in-premium insurance project proposal for publically traded company (client). Liaison with a leading affinity providers, captive reinsurance managers, stop-loss companies, and etc. Status is "in progress."
- Provided online marketing and project management consulting services for multiple real estate companies.
- Sound knowledge of real estate development, management, marketing, and the ability to use insurance as both an income generator and problem solver.

#### HERB REDL PROPERTIES

Poughkeepsie, NY

*Business Development Officer*

May 2011 - March 2014

- Produced and presented multi-year proformas with: (i) debt service projections, (ii) ratios for financial assessments, and (iii) sensitivity analysis to determine feasibility of real estate expansion projects and acquisitions.
- Responsible for the leasing of office, retail, and multi-family space across 300,000 gross square feet and 14 locations.
- Successfully reduced vacancy, as much as 30% in targeted locations, and increased revenue by closing 30 deals per year.
- Negotiated on behalf of landlord: rent, terms, build out costs, broker's fees, and etc.
- Managed construction build outs: architectural drawings, sub contractors' bidding, permits, and purchasing materials.
- Produced and maintain online advertisements, marketing materials, e-mail campaigns, flyers, billboards, and etc.
- Initiated and a lead tracking system with CRM software among the division.
- Oversaw property inspections. Attend networking events. Respond to maintenance complaints. Call delinquent.

#### INTERNATIONAL CONSULTANCY PROJECT

Belgrade, Serbia

*Team Leader*

January 2010 - May 2010

- Managed a team of four MBA candidates to successfully produce a detailed marketing and operations plan for an international frozen food distributor.
- Presented comprehensive analysis and delivered written document with: situational analysis, market data, SWOT analysis, company goals, challenges, recommendations, timeline for execution, and project budget to executives.

#### UPPER MANHATTAN EMPOWERMENT ZONE - ECONOMIC DEVELOPMENT CORP

New York, NY

*Associate Program Officer*

August 2007 - June 2009

- Performed due diligence, oversaw compliance, and developed thorough written and financial proposals of multi-year, multi-million dollar investments for institutions in Upper Manhattan.
- Managed a portfolio of 6 active investments. Including:
  - \$1.7 million (\$3.6M project) to the Studio Museum in Harlem – 1 of 33 accredited museums nationwide; and,
  - \$1.3 million (\$2.8M project) to Jazzmobile Inc. – the oldest Jazz organization in the nation.
- Produced project descriptions and financial presentations on behalf of clients. Financial presentations included historical balance sheets, income statements, and cash flows, as well as projected income statements and project budgets.
- Presented proposals to NY City, NY State, and Federal funding partners for consideration in New York City Hall.
- Designed and maintained macro-level financial spreadsheets to track historical investments and de-designations of funds for executive staff and board members. Served as a liaison between board members and division staff.
- Developed benchmark evaluations and negotiated terms of contracts prior to closing.
- Revamped the organization's deliverables document, streamlining approval processes and project management.

#### EMPIRE STATE DEVELOPMENT CORPORATION (Via The Forum Group)

New York, NY

*Assistance Review Team, Small Business Flood Recovery Grant Program*

November 2006 - August 2007

- Teamed with four colleagues to modify and implement regulations for a \$22 million, two-phase disaster relief program, which supported 700+ New York State small businesses distressed by destructive flood waters in June 2006.
- Led 175 clients through the intricate and bureaucratic funding process until claims were complete. Analyzed written and financial claims and approved, denied, or recaptured funds based on findings.
- Created, and had approved by a Senior Director, a manual with regulations and processes for the second funding process.
- Administered training sessions for three new colleagues to the program and served as an ongoing adviser.
- Collaborated with finance staff to resolve application discrepancies.

## **CITIGROUP GLOBAL MARKETS INC.**

**New York, NY**

### ***Intern, Global Fixed Income***

*May 2005 - August 2005*

- One of four undergraduates chosen nationwide for the Global Fixed Income retail trading summer internship program.
- Examined daily P&L reports and traders' positions for the Treasury and Agencies Desk.
- Facilitated timely clearance of trades. Worked with traders to resolve technical concerns.
- Confirmed acquisition of securities from counter parties.
- Compiled daily report of acquired new issues. Participated in weekly tutorials on a range of fixed income products.

## **EDUCATION**

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### **THE GEORGE WASHINGTON UNIVERSITY SCHOOL OF BUSINESS**

**Washington, DC**

#### ***Master of Business Administration***

*May 2011*

- **GPA 3.72 / 4.0**
- Mount Vernon Fellowship and Scholarship
- GW MBAA Entrepreneurs, President
- GW MBAA Real Estate Development and Investment Club

#### ***International Consultancy Project (Team Leader)***

**Belgrade, Serbia**

### **GETTYSBURG COLLEGE**

**Gettysburg, PA**

#### ***Bachelor of the Arts, Economics (With Honors); Minor, Philosophy***

*May 2006*

- **GPA 3.5 / 4.0, Cum Laude**
- Intercollegiate Varsity Tennis, Three-year Captain
- Honors Research Project: Developed a Macroeconomic model using vector auto regression analysis to determine the cause of the long-term Treasury bond "conundrum" in 2005.

### **INTERNATIONAL STUDY**

Lancaster University, *September 2004*

**Lancaster, England**

International Education of Students (IES), *October 2004-December 2004*

**London, England**

## **OTHER**

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### **Community**

- The Bardavon Theater 1869 (Board Member and Nominating Committee) - Current
- Hospice Foundation (Board of Trustees and Finance Committee) - Current
- Town of Hyde Park's Central Hub Investment Project (Development Committee) - Past

### **Awards**

- Dutchess County Regional Chamber of Commerce (40 Under 40 Award)

### **Licenses**

- Commercial Property and Casualty Insurance License
- Life, Accident, and Health Insurance License

## ***Environment Committee Roll Call***

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<i>absent</i>	
District 3 - Town of LaGrange	Borchert		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (VC)		
District 24 - Towns of Dover and Union Vale	Surman	<i>absent</i>	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		
Present: <u>10</u>	Resolution: <u>✓</u>	Total : <u>10</u>	<u>2</u>
Absent: <u>2</u>	Motion: <u>    </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2015160 CONFIRMING REAPPOINTMENTS AND A NEW APPOINTMENT TO  
DUTCHESS COUNTY PLANNING BOARD**

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 24 0  
 Yes No  
 Abstentions: 0

**2015160 CONFIRMING REAPPOINTMENTS AND A NEW APPOINTMENT TO  
 DUTCHESS COUNTY PLANNING BOARD**

Date: June 8, 2015



RESOLUTION NO. 2015161

RE: A RESOLUTION CONSENTING TO THE ISSUANCE BY THE  
DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
OF ITS SERVICE AGREEMENT REVENUE NOTES AND BONDS

Legislators MICCIO, STRAWINSKI, SAGLIANO, PERKINS, and FARLEY  
offer the following and move its adoption:

WHEREAS, the County of Dutchess, New York (the "County"), for and on behalf of the  
County Sewer District No. 1, and the Dutchess County Water and Wastewater Authority (the  
"Authority"), have entered into a Service agreement, dated as of August 15, 2006, relating to a  
sanitary sewage collection, treatment and disposal system serving Part County Sewer District No. 1  
in the Town of Beekman (the "Service Agreement"); and

WHEREAS, by Resolution No. 2013367 the Legislature approved a not to exceed amount  
of \$2,200,000 for a bond anticipation note to fund improvements to the Chelsea Cove Sewer System  
located in the Town of Beekman, which included not was not limited to rehabilitation and  
improvements to components of the wastewater treatment facility necessary to ensure the continued  
operation of the treatment system, and

WHEREAS, the maximum estimated cost of such project has increased due to additional  
improvements needed and cost escalation in the construction industry subsequent to the initial  
approval,

WHEREAS, the Authority now proposes to issue not to exceed \$3,100,000 bond  
anticipation notes (the "Notes") to fund improvements to the Chelsea Cove Sewer System, located  
in the Town of Beekman, and

WHEREAS, subsequent to the issuance of the Notes, the Authority proposes to issue bonds  
in an amount not to exceed \$3,100,000 (the "Bonds") to redeem the Notes and finance any  
remaining costs associated with the improvements, including reserves and costs of issuance; and


WHEREAS, Section 5.2(a) of the Service Agreement requires the consent of the County to the issuance thereof, now, therefore, be it

RESOLVED by the County Legislature of the County of Dutchess, New York, as follows:

Section 1. The County of Dutchess, New York hereby consents to the issuance by the Dutchess County Water and Wastewater Authority of its Notes and Bonds provided that the aggregate principal amount each does not exceed \$3,100,000. The County of Dutchess further consents to the inclusion of the debt service on the bonds in the County Service Fee provided by Section 5.2 of the Service Agreement of debt service on such Notes and Bonds.

Section 2. This resolution takes effect immediately.

CA-097-15  
BB/CRC/kvh/G-1332-A  
05/07/15  
Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 6/16/2015

STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

STATE OF NEW YORK )  
 ) ss.:  
 COUNTY OF DUTCHESS )

I, the undersigned Clerk of the County Legislature of the County of Dutchess, New York (the "County"), DO HEREBY CERTIFY:

1. That a meeting of the County was duly called, held and conducted on the 8<sup>th</sup> day of June, 2015.
2. That such meeting was a **regular** meeting.
3. That attached hereto is a proceeding of the County which was duly adopted at such meeting by the Board of the County.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the County had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION**

Southern Dutchess News  
 Poughkeepsie Journal

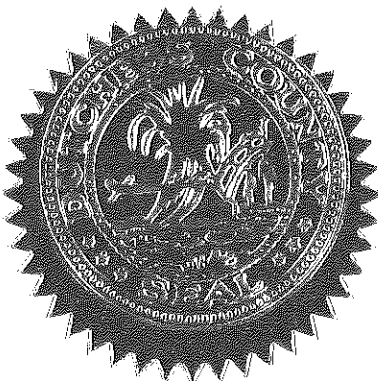
June 5, 2015  
 June 5, 2015

**POSTING**

22 Market Street, 6<sup>th</sup> Floor,  
 County Office Building  
 Poughkeepsie, NY

June 5, 2015

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 9<sup>th</sup> day of June 2015.



*Carol Morris*  
 Clerk, County Legislature

## FISCAL IMPACT STATEMENT

☒ NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ \_\_\_\_\_

Total Current Year Revenue \$ \_\_\_\_\_  
and Source

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,  
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \_\_\_\_\_

Over Five Years: \_\_\_\_\_

Additional Comments/Explanation:

Prepared by: Bridget Barclay

## ***Environment Committee Roll Call***

<i><b>District</b></i>	<i><b>Name</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<i>absent</i>	
District 3 - Town of LaGrange	Borchert		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (VC)		
District 24 - Towns of Dover and Union Vale	Surman	<i>absent</i>	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		
Present: <u>10</u>	Resolution: <u>✓</u>	Total : <u>10</u>	<u>2</u>
Absent: <u>2</u>	Motion: <u>    </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2015161 A RESOLUTION CONSENTING TO THE ISSUANCE BY THE DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY OF ITS SERVICE AGREEMENT REVENUE NOTES AND BONDS**

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		
Present: <u>24</u>	Resolution: <u>✓</u>	Total: <u>24</u>	<u>0</u>
Absent: <u>1</u>	Motion: <u>    </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2015161 A RESOLUTION CONSENTING TO THE ISSUANCE BY THE DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY OF ITS SERVICE AGREEMENT REVENUE NOTES AND BONDS**

Date: June 8, 2015

Government Services & Administration  
Laid on Desks by Mail and Placed in Legislators Boxes 5/22/15

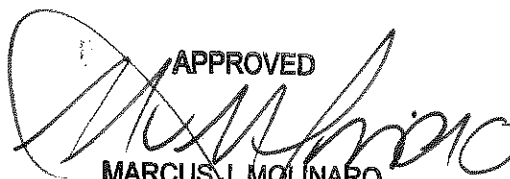
RESOLUTION NO. 2015162

RE: LOCAL LAW NO. 5 OF 2015, A LOCAL LAW AMENDING  
DUTCHESS COUNTY LOCAL LAW NO. 1 OF 2000 AND ESTABLISHING  
PROCEDURES FOR COMMERCIAL LEASES AND CONTRACTS AT THE  
DUTCHESS COUNTY AIRPORT

Legislators ROLISON, FLESLAND, BORCHERT, INCORONATO, JETER-  
JACKSON, WEISS, and SAGLIANO offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt the Local Law  
No. 5 of 2015 which has been submitted this day for consideration by said  
Legislature.

CA-xxx-15  
CRC/kvh/G-1230  
05/22/2015

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 6/26/2015

STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 5 OF 2015

A LOCAL LAW AMENDING DUTCHESS COUNTY  
LOCAL LAW NO. 1 OF 2000 AND ESTABLISHING  
PROCEDURES FOR COMMERCIAL LEASES AND  
CONTRACTS AT THE DUTCHESS COUNTY AIRPORT

BE IT ENACTED by the County Legislature of the County of Dutchess, State of New York as follows:

**SECTION 1. LEGISLATIVE INTENT.**

It is hereby determined by the Dutchess County Legislature that the Dutchess County Airport real property in its entirety, including all structures thereon, should be occupied by tenants and put to optimal use to maximize revenues to keep the Airport in good repair for use by the County or private enterprises. To accomplish this goal and properly manage the Airport, it is necessary to simplify the leasing and contracting procedures to permit efficient action on each proposed tenancy or airport operation.

**SECTION 2.**

Upon the adoption of this local law, Local Law No. 1 of 2000, Section 3 is hereby amended to read as follows:

Notwithstanding the provisions of any special or local law to the contrary, the County Executive of Dutchess County is hereby authorized to negotiate and execute all agreements for the lease of the real property, in whole or in part, or lease, contract or otherwise agree, on an exclusive or non-exclusive basis, for the entire operation of the Dutchess County Airport or of any part thereof, or for the rendering of various services, or the conduct of business activities, on or at the Dutchess County Airport on such terms and conditions as the County Executive shall determine to be in the best interests of the County without the necessity of a public hearing or further legislative approval.

**SECTION 3.**

To the extent required by law, the Dutchess County Legislature hereby ratifies all Airport agreements previously executed by the County of Dutchess.

**SECTION 4.**

This Local Law shall supersede Section 352 of the General Municipal Law to the extent it is inconsistent therewith.

**SECTION 5.**

This Local Law shall take effect immediately upon compliance with all applicable statutes.



MARCUS J. MOLINARO  
COUNTY EXECUTIVE




Background  
2015/62

JAMES M. FEDORCHAK  
COUNTY ATTORNEY

**COUNTY OF DUTCHESS**  
DEPARTMENT OF LAW

**MEMORANDUM**

TO: Dutchess County Legislators

FROM: James M. Fedorchak, County Attorney 

RE: Repeal of local law No. 1 of 2000

DATE: June 8, 2015

---

A question was raised at the meeting of the Government Services & Administration Committee on June 4<sup>th</sup> regarding the authority of the County Executive to negotiate the actual term of a lease. I had inadvertently advised the County Executive that the County was limited to a five (5) year term for negotiated leases. I was referring to Section 215 of the County Law which limits county leases to five (5) years in duration. I should have referred to Local Law No. 8 of 1983 which expanded that five (5) year period to fifteen (15) years in duration (see attached).

To clarify confusing and potentially inconsistent laws, a more comprehensive local law accompanies this memo. This law repeals Local Law No. 1 of 2000 (see attached) and encompasses germane aspects of Local Law No. 8 of 1983 and Section 352 of the General Municipal Law which specifically addresses airport leases and operational contracts.

You will see that it: authorizes the county executive to negotiate and execute leases and contracts not exceeding fifteen (15) years without legislative approval while allowing the execution of leases and contracts for a maximum term of forty (40) years with legislative approval following a public hearing. General Municipal Law Section 352(6) authorizes this delegation of authority.

We urge adoption of this local law in due course since it accomplishes the dual purpose of allowing the county executive the administrative latitude to effectively and efficiently operate the business of the airport while retaining a degree of legislative oversight of substantial leases and contracts beyond a fifteen (15) year term.

**DUTCHESS COUNTY DEPARTMENT OF LAW  
JAMES M. FEDORCHAK, COUNTY ATTORNEY**

**County Office Building  
22 Market Street  
Poughkeepsie, New York 12601  
Tel. (845) 486-2110 • Fax (845) 486-2002**

**MEMORANDUM :**

TO: Members of the Dutchess County Legislature

FROM: James M. Fedorchak, County Attorney

DATE: May 22, 2015

SUBJECT: Amendment to Local Law No. 1 of 2000  
Our File No. G-1230

In preparation for the negotiation of an Airport fixed based operator agreement, we discovered a deficiency concerning the negotiation and processing of agreements for the Dutchess County Airport.

Local Law No. 1 of 2000 established a procedure for the negotiation of lease space within the terminal building at the Dutchess County Airport. By that Local Law, the Legislature delegated authority for such negotiations to the County Executive.

The deficiency is agreements for the rental of other leased spaces such as hangars, hangar space, and tie-downs have been negotiated and executed by the County Executive without authority from the Legislature. Article 14 of the General Municipal Law addresses the procedure for the negotiation and execution of agreements concerning leased space, maintenance and operation of airports. This Article was written with the Board of Supervisors form of government in mind and granted authority for the negotiation and execution of such agreements to

the Supervisors. However, allowances have been made for Charter forms of government to grant such authority to the County Executive.

Local Law No. 1 of 2000 granted partial authority for the negotiation and execution of agreements to the County Executive. We now urge that the Local Law be expanded to address all agreements concerning the operation of the Dutchess County Airport.

In the Charter form of government, the County Executive is vested with the authority to negotiate virtually all agreements in the name of the County. To extend this authority to the operation of the Dutchess County Airport would result in the efficient day to day operation of the Airport. Section 352(6) of Article 14 of the General Municipal Law specifically allows the Legislature to delegate the authority to the County Executive to perform any and all of the powers allowed to the Board of Supervisors that is a form of government which functions without an independent chief executive officer.

Further, the proposed amendment to Local Law No. 1 of 2000 would alleviate the risk of nullifying any agreements which have been executed absent specific authority from the Legislature. For all of the reasons set forth herein, we urge the adoption of this Local Law amending Local Law No. 1 of 2000 at the Legislature's June meeting.

JMF/kvh

The foregoing Resolution No. 2015162, Local Law No. 5 of 2015, was laid on desks by mail and placed in Legislators boxes on May 22, 2015, and considered on June 8, 2015.

Roll call vote at that time resulted as follows:

AYES:        19     Borchert, Farley, Flesland, Horton, Hutchings, Ignaffo,  
                         Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,  
                         Nesbitt, Pulver, Rolison, Roman, Sagliano, Surman,  
                         Thomes, Weiss

NAYS:        4       Johnson, Tyner, Amparo, Strawinski

ABSENT:    2       Bolner, Perkins

Resolution adopted.

The County Executive held a public hearing on the foregoing Local Law on June 26, 2015 and signed it into Law on the same day. The effective date of the Local Law was August 17, 2015.

## *Government Services and Administration Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<i>absent</i>	
District 12 - Town of East Fishkill	Weiss (VC)	<i>absent</i>	
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Strawinski		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (C)	<i>absent</i>	
Present: <u>9</u>	Resolution: <u>✓</u>	Total : <u>        </u>	<u>        </u>
Absent: <u>3</u>	Motion: <u>        </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>        </u>	

Legislator Strawinski moved to amend the foregoing resolution, duly seconded by Legislator Jeter-Jackson as follows:

### SECTION 3.

To the extent required by law, the Dutchess County Legislature hereby ratifies all Airport agreements previously executed by the County of Dutchess. **The County Executive is hereby authorized to enter into any lease for space or the operation at the Airport shall be limited to a period not exceeding five years.**

Legislator Strawinski moved to withdraw her amendment.

2015162

June 4, 2015

## ***Government Services and Administration Roll Call***

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<i>absent</i>	
District 12 - Town of East Fishkill	Weiss (VC)	<i>absent</i>	
District 14 - Town of Wappinger	Amparo		✓
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Strawinski		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (C)	<i>absent</i>	

Present: 9  
 Absent: 3  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 8 1  
           Yes    No  
 Abstentions: 0

**2015162 A LOCAL LAW AMENDING DUTCHESS COUNTY LOCAL LAW NO. 1 OF 2000 AND ESTABLISHING PROCEDURES FOR COMMERCIAL LEASES AND CONTRACTS AT THE DUTCHESS COUNTY AIRPORT**

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland	✓	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 16 - Town of Fishkill and City of Beacon	MacAvery	✓	
District 1 - Town of Poughkeepsie	Nesbitt	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	✓	
District 3 - Town of LaGrange	Borchert	✓	
District 4 - Town of Hyde Park	Ignaffo	✓	
District 5 - Town of Poughkeepsie	Roman	✓	
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	absent	
District 9 - City of Poughkeepsie	Johnson		✓
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss	✓	
District 14 - Town of Wappinger	Amparo		✓
District 15 - Town of Wappinger	Incoronato	✓	
District 17 - Town and Village of Fishkill	Miccio	✓	
District 18 - City of Beacon and Town of Fishkill	Farley	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 20 - Town of Red Hook	Strawinski		✓
District 21 - Town of East Fishkill	Horton	✓	
District 22 - Towns of Beekman and Union Vale	Hutchings	✓	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	✓	
District 24 - Towns of Dover and Union Vale	Surman	✓	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey	✓	

Present: 290 Resolution: ✓ Total: 19 4  
 Absent: 2 Motion: — Yes No  
 Vacant: 0 Abstentions: 0

**2015162 A LOCAL LAW AMENDING DUTCHESS COUNTY LOCAL LAW NO. 1 OF 2000  
 AND ESTABLISHING PROCEDURES FOR COMMERCIAL LEASES AND CONTRACTS  
 AT THE DUTCHESS COUNTY AIRPORT**

Date: June 8, 2015



RESOLUTION NO. 2015163

RE: REAPPOINTMENT TO THE E-911 MAINTENANCE BOARD

Legislators ROMAN, NESBITT, SURMAN, JOHNSON, HORTON, WEISS, JETER-JACKSON, FARLEY, and PERKINS offer the following and move its adoption:

WHEREAS, the E-911 Maintenance Board was created pursuant to Resolution No. 990379; and

WHEREAS, a vacancy exists on the E-911 Maintenance Board due to the expiration of the term of Ronald Knapp; and

WHEREAS, Ronald Knapp has been reappointed by the City of Poughkeepsie subject to confirmation by the Legislature; now, therefore, be it

RESOLVED, that the following person be reappointed to the E-911 Maintenance Board as follows:

REAPPOINTMENT

Ronald Knapp  
City of Poughkeepsie Police Chief  
Municipal Building  
Poughkeepsie, NY 12601  
(City of Poughkeepsie PSAP)

TERM

April 1, 2015 – March 31, 2018

STATE OF NEW YORK

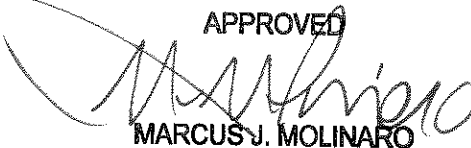
ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 6/16/2015



PS.

The City of Poughkeepsie  
New York

**John C. Tkazyik**  
Mayor

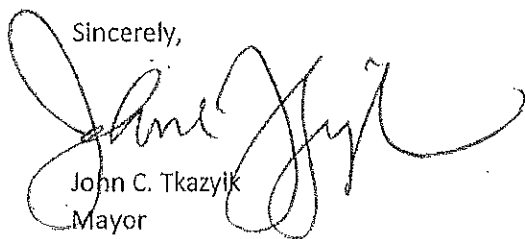
April 29, 2015

Dutchess County Enhanced 911 Oversight Board  
Laurie Colgan  
392 Creek Road  
Poughkeepsie, New York 12601

Dear Ms. Colgan:

I am re-appointing Police Chief, Ronald Knapp, to represent the City of Poughkeepsie on the E-911 Oversight Board. I understand that Chief Knapp's term expired on March 31, 2015, but would like to re-appoint him for another term, which will expire on March 31, 2018.

Sincerely,



John C. Tkazyik  
Mayor

# Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<i>absent</i>	
District 1 - Town of Poughkeepsie	Nesbitt	<i>absent</i>	
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson.		
District 12 - Town of East Fishkill	Weiss	<i>absent</i>	
District 21 - Town of East Fishkill	Horton		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 9

Absent: 3

Vacant: 0

Resolution: ✓

Motion:     

Total : 9 0

Yes No  
Abstentions: 0

2015163 REAPPOINTMENT TO E-911 MAINTENANCE BOARD

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present:	<u>24</u>	Resolution:	<u>✓</u>	Total :	<u>24</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<u>—</u>	Yes		No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2015163 REAPPOINTMENT TO E-911 MAINTENANCE BOARD

Date: June 8, 2015

## RESOLUTION NO. 2015164

RE: AMENDING THE 2015 ADOPTED COUNTY BUDGET AS  
IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Legislators ROMAN, FLESLAND, HORTON, JOHNSON, STRAWINSKI, SAGLIANO, JETER-JACKSON, FARLEY, and PERKINS offer the following and move its adoption:

WHEREAS, the District Attorney has requested the appropriation of forfeiture of crime proceeds, and

WHEREAS, pursuant to Article 13-A of the CPLR, said funds must be used to enhance prosecutorial and law enforcement efforts and not to supplement ordinary budgetary expenses, and

WHEREAS, the District Attorney has requested that the sum of \$24,212 be placed in various District Attorney Asset Forfeiture accounts to be used for the purchase of equipment, office supplies and training expenses, listed on the attached Asset Forfeiture Expenditure sheet, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized and directed to amend the 2015 Adopted County Budget as follows:

APPROPRIATIONSIncrease

A.1165.05.4160	Office supplies	\$ 5,572
A.1165.05.4750	Other equipment – ND	14,600
A.1165.05.4125	Food & kitchen supplies	360
A.1165.05.4631	Training/seminars & conferences	2,250
A.1165.05.4622	Veterinary services	1,430
		<u>\$24,212</u>

REVENUESIncrease

A.9998.95110.01	Approp. Res. Asset Forfeiture – State	<u>\$24,212</u>
-----------------	---------------------------------------	-----------------

CA-0100-15

LDF/crc/kvh/G-0135

5/15/15

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

APPROVED

  
 MARCUS J. MOLINARO  
 COUNTY EXECUTIVE

6/17/2015

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

  
 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT



NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 24,212

Total Current Year Revenue \$ 24,212  
and Source

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,  
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☒ Other (explain).

Identify Line Items(s):

Please see attached spreadsheet

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \_\_\_\_\_  
Over Five Years: \_\_\_\_\_

### Additional Comments/Explanation:

This resolution is to appropriate Asset Forfeiture Funds to enable the purchase of equipment, etc. listed on the attached Asset Forfeiture Expenditure sheet.

Prepared by: Gina Barry/Heidi Owens

## Asset Forfeiture Expenditures

Other Equipment - ND - 4750		
Service Dog for victims and witnesses	10,000.00	District Attorney's Office
GJ Waiting Room Video System for Child Interviews	4,600.00	District Attorney's Office
<b>TOTAL:</b>	<b>14,600.00</b>	
FOOD & KITCHEN SUPPLIES - 4125		
Dog Food for Service Dog	360.00	District Attorney's Office
<b>Total:</b>	<b>360.00</b>	
TRAINING AND SEMINARS/CONF - 4631		
Training for Three Handlers for Service Dog at \$750 each	2,250.00	District Attorney's Office
<b>Total:</b>	<b>2,250.00</b>	
OFFICE SUPPLIES - 4160		
Ricoh E-copy Paperworks Support Renewal - One Year	572.00	District Attorney's Office
Miscellaneous Items, (office supplies, items for therapy dog)	5,000.00	District Attorney's Office
<b>Total:</b>	<b>5,572.00</b>	
VETERINARY SERVICES - 4622		
Veterinary Services Start up for Service Dog	1,430.00	District Attorney's Office
<b>Total:</b>	<b>1,430.00</b>	
<b>TOTAL TO BE APPROPRIATED:</b>	<b>24,212.00</b>	
TOTALS BY PROGRAM		
District Attorney's Office	24,212.00	
<b>TOTAL TO BE APPROPRIATED:</b>		

**District Attorney Asset Forfeiture****APPROPRIATIONS**Increase

A.1165.05.4750	Other Equipment - ND	\$14,600
A.1165.05.4125	Food & Kitchen Supplies	\$360
A.1165.05.4631	Training Seminars/Conf	\$2,250
A.1165.05.4160	Office Supplies	\$5,572
A.1165.05.4622	Veterinary Services	\$1,430
		<u>\$24,212</u>

**REVENUES**Increase

A.9998.95110.01	Appropriated Reserve Asset Forfeiture - State	\$24,212
		<u>\$24,212</u>





## COUNTY OF DUTCHESS

MARCUS J. MOLINARO  
COUNTY EXECUTIVE

### MEMORANDUM

To: Robert G. Rolison, County Legislature Chairman  
All County Legislators

From: Marcus J. Molinaro, County Executive

Date: June 17, 2015

Re: **Resolution 2015164**

Clearly, there are strong views related to Resolution 2015164, amending the Budget of the District Attorney. When it comes to the expense of funds, public or otherwise, earnest debate and diligent consideration is warranted and healthy. While there may be opposing viewpoints, there is no question regarding the benefit a well trained "specialty" dog has and can provide to criminal investigation and the judicial process. Such animals provide help to crime victims, particularly victims of sexual abuse, especially children. The availability of such an animal has already proven beneficial and local law enforcement, including Sheriff Anderson, have voiced support for this resolution.

In considering the legislation, a basic question has been posed: Does it make sense to purchase a dog with this level of training, having it readily available to Dutchess County, and if so, is it reasonable to spend \$10,000?" Although there is some debate concerning the level of training required and who is qualified to provide it, the underlying question seems to be how much use a dog with this sort of training will get in a given year.

We have reviewed the legislature's deliberations; presentations made to the legislature, public comments, and have discussed the matter with the District Attorney and County Court Judge Steve Greller. While District Attorney Grady envisions "Bosch" being used 4-8 times a year for in-court testimony, Judge Greller offers, based on history, once a year may be more likely. Rental of such animal could cost approximately \$250 a day. Making use of the dog 40 days over an expected ten year lifespan does not seem unreasonable and thus the purchase would pay for itself. It should be noted, that using the dog for a particular case normally requires multiple days. Should this occur, the cost could grow significantly?

This of course, does not account for the assistance the animal provides a child having to disclose abuse to service providers and law enforcement or undergoing medical examinations after having been abused. The experts in law enforcement and response to sexual assault and child abuse believe this dog with this level of training is necessary, and I agree.

Further, some oppose the use of taxpayer's dollars – which may be understandable. The funding for this purchase comes from the Asset Forfeiture Fund which is secured as a result of confiscations from drug dealers following their arrest and conviction. While some may argue the appropriateness of using county tax dollars, in this case no such funds are being used.

Still, some feel that Asset Forfeiture dollars should be used to pay for items normally purchased in the operating budget or for other law enforcement tools generally appropriated in the General Fund. However, according to our Asset Forfeiture rules, the funds must only be used "to enhance law enforcement efforts and not in supplantation of ordinary budgetary costs."

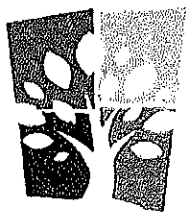
This purchase of a "specialty" dog to help reduce trauma in young sexual abuse victims does appear to be an ideal and appropriate use of Asset Forfeiture funds.

In the end, we have always given deference to the District Attorney and County Sheriff, both independently elected Constitutional Officers, when it comes to use of these funds, as they are charged with the difficult mission of prosecuting offenders and being sensitive to the victims that are needed to get the perpetrators convicted. I see no reason to deviate from this policy in this case.

Lastly, having spent much of my public service career seeking to strengthen this community's response to sexual assault, child abuse and domestic violence, I want our county to continue to improve and lead in this area. Having "Bosch" with his level of training available throughout every phase of investigation and criminal prosecution to assist a victim – a child – being undistruptive in court proceedings, at the ready t, may prove invaluable. And, for these reasons I return this resolution signed and approved.

C: William Grady, District Attorney  
Adrian Anderson, County Sheriff

Encl.



# Family Services

Providing Hope. Improving Lives. Strengthening Community.

## Main Office

29 North Hamilton Street  
Poughkeepsie, NY 12601  
t | 845-452-1110  
f | 845-452-1119

## Ulster County Office

85 Grand Street  
Kingston, NY 12401  
t | 845-331-5641  
f | 845-331-0594

[www.familyservicesny.org](http://www.familyservicesny.org)

Paul Haering  
Chair

Ruth Spencer  
Vice-Chair

Peter Leonard  
Treasurer

Richard Mitchell  
Secretary

## Board of Directors

Margaret Callista  
Geraldo DePorres  
Maria DeWald  
Freddimir Garcia  
Bishop Debra Gause  
David Horton  
Brian Joyce  
Margaret LeFlore  
Sandra Ludlum  
Peter Lumb  
Amanda Moody  
Kelly Outwater  
David Ping  
Michael Quinn  
Carla Tesoro  
Jamie VanDodick

Brian Doyle  
Chief Executive Officer

 HUDSON VALLEY  
MENTAL HEALTH  
An Affiliate of Family Services

June 17, 2015

Marcus Molinaro,  
County Executive  
Dutchess County  
22 Market Street  
Poughkeepsie, New York 12601

Dear Mr. Molinaro,

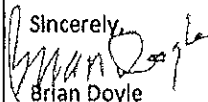
I am writing in support of the proposal for a uniquely trained dog which is highly skilled in working with individuals who have experienced crime victimization as they go through criminal and child protective procedures.

Our staff, including the Director of Forensic Services and Crime Victims Assistance at Family Services, has seen firsthand the benefit of having a courthouse dog available for victims, particularly children. In a recent case Educated Canines Assisting with Disabilities (ECAD) agreed to provide Bosch, the dog that is proposed to be purchased by the District Attorney's Office, to attend therapy sessions in for a young girl who had been badly sexually abused over years by a family member. It was quite remarkable and moving to see her anxiety diminish and her confidence quickly grow once Bosch became part of her weekly sessions.

An essential service that Crime Victims Assistance offers is the provision of court accompaniment and advocacy. Victims who have experienced interpersonal violence, including but not exclusive to domestic violence are often overwhelmed as the trauma of their victimization can be triggered in court settings, particularly because of their offender's presence. Victims routinely express anxiety and fear about testifying and having to give details about the crime. Having a uniquely trained dog such as Bosch, routinely available would provide for the emotional and psychological support necessary for victims testifying in these cases and support victims in the clinical settings in which we work with the individuals we serve.

I certainly hope that the purchase and use of Bosch, as proposed, moves forward.

Sincerely,



Brian Doyle  
Chief Executive Officer  
Family Services

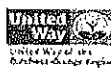
Cc: William Grady, Dutchess County District Attorney



Programs are funded in  
Part by the County of Dutchess



Member New York State Association  
of Family Services Agencies



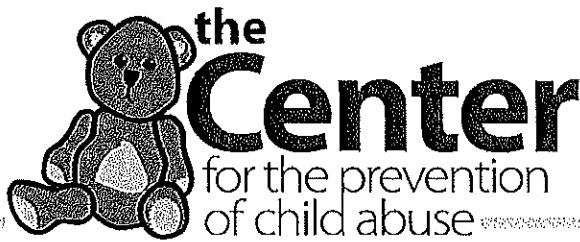
Programs funded in part by  
the United Way of Dutchess-Orange Region



Programs funded in part by  
the United Way of Ulster County



Programs funded in part by  
the County of Ulster



tel (845) 454-0595

fax (845) 454-0129

June 16, 2015

Dear County Executive Marcus Molinaro,

I am writing this letter in support of the Dutchess County District Attorney's office purchasing the service dog Bosch. We here at the Center believe that Bosch would be an essential addition to the county. Service dogs provide comfort and empower children to face their fears when having to testify in court, disclose abuse when working with advocates, soothe them when having to experience a medical exam after they have been abused.

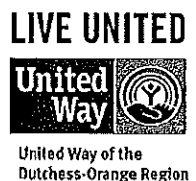
The Center strongly supports and encourages this addition to the services provided for the children of Dutchess County!

Respectfully,

Kathleen M. Murphy.

[www.theCPCA.com](http://www.theCPCA.com)

Child Abuse  
Prevention Center, Inc.  
35 Van Wagner Road  
Poughkeepsie, NY 12603





# Dutchess County Sheriff's Office

150 North Hamilton Street, Poughkeepsie, NY 12601

Adrian H. Anderson  
Sheriff

Kirk A. Imperati  
Undersheriff

George V. Krom Jr.  
Corrections  
Administrator

Main (845) 486-3800  
Fax (845) 452-2987  
TDD (845) 486-3888

Dear Bill:

I am writing in support of your request for authorization to purchase the service dog, Bosch. I was able to spend some time observing Bosch during the handler training that took place from June 8 – 12, 2015, at the Dutchess County Sheriff's Office. I believe that having Bosch for use within the County will be a huge asset to those in law enforcement, especially in cases of child physical and sexual abuse. Given Bosch's unique training and ability to assist crime victims as they go through the criminal justice system, including at trial, I support this initiative.

Sincerely,

Adrian "Butch" Anderson

Sheriff of Dutchess County

**Morris, Carolyn**

---

**From:** Ignaffo, Dominick P.  
**ent:** Thursday, June 18, 2015 1:14 PM  
**fo:** Strippoli, Sandy; Rolison, Robert; Rolison, Robert; Amparo, Francena; Bolner, Donna; Borchert, Dale; Farley, April Marie; Flesland, Angela; Horton, Marge; Hutchings, Gerald; Incoronato, Joseph; Jeter-Jackson, Barbara; Johnson, Gwen; Kelsey, Michael; Macavery, Alison E.; Miccio, James J.; Nesbitt, Ellen; Perkins, Richard; Pulver, Gregg; Roman, Kenneth; Sagliano, Don; Strawinski, Micki; Surman, Alan; Thomes, John; Tyner, Joel; Weiss, Robert  
**Cc:** Morris, Carolyn; Wager, Leigh; Ellison, Michael; Grady, William; Anderson, Adrian (Butch)  
**Subject:** RE: Resolution No. 2015164 Amending the 2015 Adopted County Budget as it pertains to the District Attorney

I think Marcus expresses our interests and concerns excellently, however unless I am living in a bubble, I have received notable criticism for support of this resolution given the alternatives. The DA has rec'd approx. \$40,000 in returned appropriations this year, much of it going to office supplies and training. I would like to see some of the money going to DART or FATS [fire arms training simulation], or some other CRJ issue or concern. Perhaps in the future the other criminal justice agencies can share in these funds.

dpi

---

**From:** Strippoli, Sandy  
**Sent:** Thursday, June 18, 2015 9:45 AM  
**To:** Rolison, Robert; Rolison, Robert; Amparo, Francena; Bolner, Donna; Borchert, Dale; Farley, April Marie; Flesland, Angela; Horton, Marge; Hutchings, Gerald; Ignaffo, Dominick P.; Incoronato, Joseph; Jeter-Jackson, Barbara; Johnson, Gwen; Kelsey, Michael; Macavery, Alison E.; Miccio, James J.; Nesbitt, Ellen; Perkins, Richard; Pulver, Gregg; Roman, Kenneth; Sagliano, Don; Strawinski, Micki; Surman, Alan; Thomes, John; Tyner, Joel; Weiss, Robert  
**Cc:** Morris, Carolyn; Wager, Leigh; Ellison, Michael; Grady, William; Anderson, Adrian (Butch)  
**Subject:** Resolution No. 2015164 Amending the 2015 Adopted County Budget as it pertains to the District Attorney

Dear Chairman and County Legislators,

Attached please find Memorandum from the County Executive along with letters in support. Thank you.

**Sandra L. Strippoli**  
**Executive Secretary**  
 County Executive's Office  
 22 Market Street  
 Poughkeepsie, New York 12601  
 Phone: 845-486-2000 Facsimile: 845-486-2021  
 Email: [ssrippoli@dutchessny.gov](mailto:ssrippoli@dutchessny.gov)

[www.dutchessny.gov](http://www.dutchessny.gov)

**Morris, Carolyn**

---

**From:** Richard Perkins [richperkins@optonline.net]  
**Sent:** Monday, June 08, 2015 9:28 AM  
**To:** Morris, Carolyn  
**Subject:** FW: Dutchess lawmakers expected to approve \$10,000 for therapy dog

Good morning,  
Can you forward this constituent question to the D.A so that I may reply?

Thank you,  
Rich

----- Begin forwarded message -----

Subject: Dutchess lawmakers expected to approve \$10,000 for therapy dog  
Date: 06/08/15 09:05:54 AM  
From: "GinnyB" <ginny243@optonline.net>  
To: richperkins@optonline.net  
Cc: countylegislature@dutchessny.gov, countyexec@dutchessny.gov

To whom it may concern,

Dutchess lawmakers expected to approve \$10,000 for therapy dog

[http://midhudsonnews.com/News/2015/June/08/DCL\\_thearpy\\_dog-08Jun15.html](http://midhudsonnews.com/News/2015/June/08/DCL_thearpy_dog-08Jun15.html)

May I ask what happens when the \$10,000 runs out and who will be harboring the therapy dog? Is this \$10,000 just for the rest of this year - if so what is the annual cost? in following years? It would seem to me there are non-profit organizations which can provide this service as needed without the necessity of taxpayer funding. These animals can live for 10 years and upwards! This sounds like a long-term commitment to me! Is the County committed to/ in for the long haul? What is the Total Cost?

Please forward to the District Attorney as I was unable to readily locate an e-mail for his office on the County Website.

Thank You in Advance for you time and consideration regarding my questions.

Virginia A. Buechele. Windsor Court, Town of Poughkeepsie, District #7

# Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Nesbitt	absent	
District 4 - Town of Hyde Park	Ignaffo	1	
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss	absent	
District 21 - Town of East Fishkill	Horton		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		
Present: <u>9</u>	Resolution: <u>✓</u>	Total : <u>9</u>	<u>0</u>
Absent: <u>3</u>	Motion: <u>—</u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2015164** AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Date: June 4, 2015



# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	<i>absent</i>	
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 23

Absent: 2

Vacant: 0

Resolution: ✓

Motion:     

Total: 23 0

Yes No

Abstentions: 0

**2015164** AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Date: June 8, 2015

RESOLUTION NO. 2015165

RE: AUTHORIZING AN INTER-MUNICIPAL AGREEMENT AMONG VARIOUS DUTCHESS COUNTY DEPARTMENTS, AGENCIES, FIRE DISTRICTS, AND MUNICIPALITIES, FOR A JUVENILE FIRE-SETTERS INTERVENTION RESPONSE EDUCATION ("JFIRE") PROGRAM

Legislators ROMAN, FLESLAND, JOHNSON, HORTON, STRAWINSKI, WEISS, IGNAFFO, JETER-JACKSON, PERKINS, FARLEY, and SAGLIANO offer the following and move its adoption:

WHEREAS, the incidence of arson fires set by juveniles, ages 3-17, in Dutchess County is disturbing, and

WHEREAS, there is a need for educational and counseling assistance for these juveniles, either through programs of outreach and referral or through judicial intervention, and

WHEREAS, there is a committee of persons dedicated to achieving the goal of identifying juvenile fire-setters, and to provide educational intervention to juveniles and their families, thus reducing the incidence of injury, death and property loss due fires set by juveniles, and

WHEREAS, other Counties in New York State, including Suffolk County, Washington County, and Albany County, have similar Programs in place in order to address the issue of fires set by juveniles, and

WHEREAS, pursuant to Article 5-g, Section 119 of the General Municipal Law, the County, the Fire Districts, and Municipalities, are authorized to enter into such Agreement, and

WHEREAS, the proposed Inter-Municipal agreement, a copy of which is annexed hereto, is in the best interests and would benefit all of the citizens of Dutchess County, and

WHEREAS, the JFIRE Program will function and operate administratively through the Dutchess County Department of Emergency Response; Emergency Response will provide storage space and maintain all records pertaining to this Program, and

WHEREAS, the Committee is comprised of representatives from the Dutchess County Sheriff's Office, Dutchess County Department of Emergency Response, Dutchess County Department of Probation and Community Corrections, Dutchess County Department of Law, Dutchess County Department of Community and Family Services, Dutchess County Department of Mental Hygiene, Dutchess County District Attorney's Office, Astor Services for Children and Families, Fire Districts from Arlington Fire District, LaGrange Fire District, Fairview Fire District, and Police Departments from Town of Poughkeepsie Police Department, City of Poughkeepsie Police Department, Hyde Park Police Department and East Fishkill Police Department, who are committed to this program, and

WHEREAS, the funds for a two day training seminar have been guaranteed through assistance by the Dutchess County District Attorney's Office, and passed under Resolution No. 2015112, and

WHEREAS, prior Resolution No. 306-1991 had authorized the creation of the Dutchess County Juvenile Fire-Setter Intervention Task Force, and

WHEREAS, the Dutchess County Juvenile Fire-Setter Intervention Task Force ceased to exist approximately ten years ago, now therefore be it


RESOLVED, that Resolution No. 306-1991 is hereby repealed in its entirety, and be it further

RESOLVED, that this Legislature hereby approves the creation of the Juvenile Fire-Setters Intervention Response Education (hereinafter "JFIRE") Program, and be it further

RESOLVED, that the Dutchess County JFIRE Program is authorized to seek monetary grants to finance its training programs and operations, and to conduct education, outreach, counseling and other services for juveniles who are arsonists or potential arsonists, and be it further

RESOLVED, that the County Executive and County Department Heads are authorized to execute the Inter-Municipal Agreement in substantially the same form as annexed hereto.

CA-099-15  
LDF/kvh/ G-0148-A  
5/14/15  
Fiscal Impact: attached

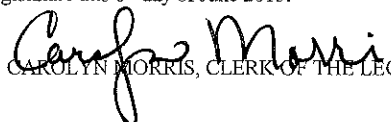
APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 6/16/2015

STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

☒ NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 0  
and Source

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,  
☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \_\_\_\_\_  
Over Five Years: \_\_\_\_\_

### Additional Comments/Explanation:

No expense involved in forming this committee and entering into this agreement.

Prepared by: Dana Smith

Prepared On: May 11, 2015

## INTER-MUNICIPAL AGREEMENT

This Inter-Municipal Agreement (hereinafter "Agreement") is set forth among the Dutchess County Department of Emergency Response, Dutchess County Sheriff's Office, Dutchess County Office of Probation and Community Corrections, Dutchess County Department of Community and Family Services, Dutchess County Department of Law, Dutchess County Department of Mental Hygiene, Dutchess County District Attorney's Office, Astor Services for Children and Families, Arlington Fire District, Fairview Fire District, LaGrange Fire District, City of Poughkeepsie (on behalf of City of Poughkeepsie Police Department), Town of Hyde Park (on behalf of Town of Hyde Park Police Department), Town of East Fishkill (on behalf of Town of East Fishkill Police Department), and Town of Poughkeepsie (on behalf of Town of Poughkeepsie Police Department)

### PURPOSE

This Agreement is between the above parties for the following purposes:

- To create a committee of persons from these agencies called the Juvenile Fire-Setters Intervention Response Education Program Committee, hereinafter "JFIRE".
- To provide a comprehensive approach to effectively solve the problem of juveniles, ages 3-17, who set fires through proper education, early identification and assessment, and facilitation of referrals for appropriate intervention strategies.
- Identifying juvenile fire-setters and to provide educational intervention to youth and their families, thus reducing the incidence of injury, death, and property loss due to juvenile fire-setters.

### OBJECTIVES

It is the intent of this Agreement that all parties involved agree to participate in this County-wide program, in the following manner:

- 1) Participate and send representatives to a two-day training at no tuition cost to the agency. The number of representatives per agency to be agreed upon by the JFIRE Program Committee.
- 2) Supply all data and incoming referrals to a central reporting point to allow for further assessment and statistical analysis of juvenile fire-setting behavior
- 3) Participate in assessments on an as-needed basis with primary use of the Oregon Juvenile with Fire Screening Tool for a risk assessment.
- 4) Complete designated forms/reports on a timely basis
- 5) Attend and participate in JFIRE committee meetings, with a schedule to be set by the committee as a whole, as well as additional meetings on an as-needed basis
- 6) Comply with additional operational procedures, including the procedural manual and By-Laws to be prepared, as agreed upon by the Committee.
- 7) Any salary, compensation, overtime/compensatory time-off, that is incurred when participating in the JFIRE Program, as well as any insurance requirements, are the responsibility of the employing agency.

### LEAD AGENCY

The JFIRE Program will function and operate administratively through the Dutchess County Department of Emergency Response.

The Dutchess County Department of Emergency Response will provide storage space and maintain all records pertaining to this Committee. In addition, the Department of Emergency Response shall also provide and maintain an office space to use for JFIRE business, as well as a conference room and/or meeting room to conduct the affairs of the JFIRE Program Committee.

All meetings of the JFIRE Program Committee shall take place at the Department of Emergency Response Center, the Dutchess County Sheriff's Office or another facility as agreed upon.

### CONFIDENTIALITY

All agencies that are a part of this Agreement agree that any information obtained shall remain confidential and shall be shared solely with the members of the JFIRE Committee and shall not be re-disclosed outside of the JFIRE Committee, unless proper releases and authorizations have been obtained. Records or portions thereof may be subject to FOIL.

### TERM OF AGREEMENT/TERMINATION

The term of this Agreement commences on the date of execution by the County Executive. Either party may terminate this Agreement upon ninety (90) days notice to the Dutchess County Department of Emergency Response.

\_\_\_\_\_  
Dutchess County-County Executive

\_\_\_\_\_  
Dutchess County Emergency Response

\_\_\_\_\_  
Dutchess County Sheriff's Office

\_\_\_\_\_  
Dutchess County Department of Law

\_\_\_\_\_  
Dutchess County District Attorney's Office

\_\_\_\_\_  
Dutchess County Department of Probation and Community Corrections

\_\_\_\_\_  
Dutchess County Department of Mental Hygiene

\_\_\_\_\_  
Dutchess County Department of Community & Family Services

Astor Services for Children and Families

Title \_\_\_\_\_

Date \_\_\_\_\_

RF

Town of Poughkeepsie

Title \_\_\_\_\_

Date \_\_\_\_\_

Town of Poughkeepsie Police Department

Title \_\_\_\_\_

Date \_\_\_\_\_

RF



City of Poughkeepsie

Title

Date

City of Poughkeepsie Police Department

Title

Date

DATA

Town of Hyde Park

Title

Date

Town of Hyde Park Police Department

Title

Date

RF

Town of East Fishkill

Title \_\_\_\_\_

Date \_\_\_\_\_

Town of East Fishkill Police Department

Title \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

DRAFT

Arlington Fire District

Title \_\_\_\_\_

Date \_\_\_\_\_

DATA

Fairview Fire District

Title \_\_\_\_\_

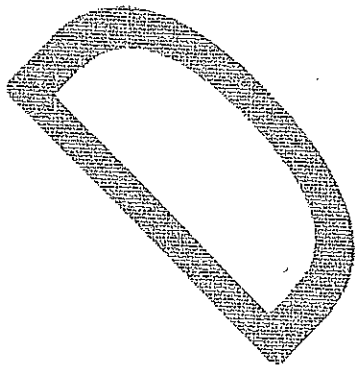
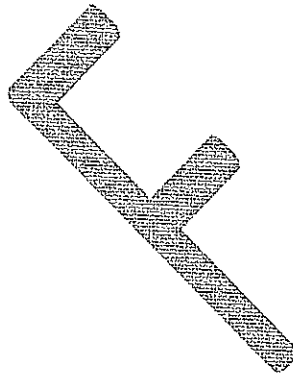
Date \_\_\_\_\_

RF

LaGrange Fire District

Title

Date



## Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Nesbitt	absent	
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss	absent	
District 21 - Town of East Fishkill	Horton		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 8  
 Absent: 4  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 8 0  
 Yes No  
 Abstentions: 0

**2015165** AUTHORIZING AN INTER-MUNICIPAL AGREEMENT AMONG VARIOUS DUTCHESS COUNTY DEPARTMENTS, AGENCIES, FIRE DISTRICTS, AND MUNICIPALITIES, FOR A JUVENILE FIRE-SETTERS INTERVENTION RESPONSE EDUCATION ("JFIRE") PROGRAM

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 24 0  
 Yes No  
 Abstentions: 0

**2015165 AUTHORIZING AN INTER-MUNICIPAL AGREEMENT AMONG VARIOUS DUTCHESS COUNTY DEPARTMENTS, AGENCIES, FIRE DISTRICTS, AND MUNICIPALITIES, FOR A JUVENILE FIRE-SETTERS INTERVENTION RESPONSE EDUCATION ("JFIRE") PROGRAM**

Date: June 8, 2015



RESOLUTION NO. 2015166

RE: AMENDING RESOLUTION NO. 2014161 ESTABLISHING STANDARD WORKDAY FOR  
ELECTED AND APPOINTED OFFICIALS EFFECTIVE JANUARY 2014


Legislators BORCHERT, BOLNER, SAGLIANO, FARLEY, JOHNSON, and JETER-  
JACKSON offer the following and move its adoption:

WHEREAS, on the 9<sup>th</sup> day of June 2014, the Dutchess County Legislature adopted Resolution  
No. 2014161 establishing a standard workday for elected and appointed officials; and

WHEREAS, it is necessary to amend the Standard Workday Resolution to reflect changes in  
Dutchess County; now, therefore, be it

RESOLVED, that the County of Dutchess hereby establishes the following as a Standard  
Workdays for Elected or Appointed Officials to reflect changes in personnel and titles to report the following  
days of the New York State and local employees retirement system based on the record of activities maintained  
and submitted by these officials to the Clerk of this body:

See Attached Schedule

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 6/16/2015

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original  
resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript  
said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

TERM APPOINTMENTS OF ELECTED AND APPOINTED OFFICIALS

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORKDAY	IN TIME- KEEPING SYSTEM	DAYS/MONTH (Based on Record of Activities)
County Attorney	Helmeyer, Kim	Confidential Secretary to County Attorney	01/26/2015- 12/31/2015	7	Yes	N/A
County Attorney	Nelson, Caroline	Sr Asst County Attorney	04/01/2015 - 12/31/2015	7	Yes	N/A
County Attorney	Smith, Ann Marie	Sr Asst County Attorney	02/02/2015 - 12/31/2015	7	Yes	N/A
County Clerk	Durland, Catherine	Conf Admin Asst	03/10/2015 - 12/31/2015	7	Yes	N/A
County Clerk	Dignan, Anne-Marie	Deputy County Clerk	02/02/2015 - 12/31/2015	7	Yes	N/A
County Executive	Rapley, Carrie	Executive Aide	01/01/2015- 12/31/2015	7	Yes	N/A
County Legislature	Pascocello, Dain	Assistant to the Chairman	04/06/2015- 12/31/2015	7	Yes	N/A
Legislature	Perkins, Richard	Legislator	01/01/2014- 12/31/2015	6	No	15.78
Legislature	Sagliano, Donald	Legislator	01/01/2014- 12/31/2015	6	No	13.36
District Attorney	Kessel, Brittney	Asst District Attorney	09/15/2014 - 12/31/2015	7	Yes	N/A
Emergency Response	Smith, Dana	Commissioner of Emergency Response	01/01/2015 - 12/31/2015	7	Yes	N/A
Human Resources	Stricker, Darcy	Deputy Commissioner of Human Resources	08/09/2014- 08/12/2019	7	Yes	N/A
Human Resources	O'Connell, Mary	Equal Employment Opportunity Officer	03/02/2015- 08/12/2019	7	Yes	N/A

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORKDAY	IN TIME- KEEPING SYSTEM	DAYS/MONTH (Based on Record of Activities)
Medical Examiner	Newman, Kia	Deputy Medical Examiner	01/05/2015- 12/31/2015	7	Yes	N/A
Mental Hygiene	Hirst, Margaret	Acting Commissioner of Mental Hygiene	05/30/2015- 12/31/2015	7	Yes	N/A
Planning	Wrafter, Eoin	Commissioner of Planning and Development	04/20/2015- 12/31/2015	7	Yes	N/A
Planning	Traudt, Benjamin S	Comm. Specialist	01/01/2015- 12/31/2015	3.5	Yes	20
Public Defender	Gerry, Kara	Sr Asst Public Defender	10/14/2014- 12/31/2015	7	Yes	NA
Public Defender	Knapp, Eric	Bureau Chief	05/11/2015 – 12/31/2015	7	Yes	N/A
Public Defender	Moore, Lawrence	Sr Asst Public Defender	05/11/2015 – 12/31/2015	7	Yes	N/A
Public Defender	Rosen, Alexander	Bureau Chief	05/11/2015 – 12/31/2015	7	Yes	N/A
Public Works	Pagones, Julia	Comm. Specialist	03/02/2015- 12/31/2015	7	Yes	N/A
Community and Family Services	Jaar-Marzouka, Fatima S.	Acting Commissioner of Community and Family Services	03/28/2015 – 03/27/2016	7	Yes	N/A

Discussion on Resolution No. 2015166, resulted as follows:

Legislator Sagliano moved to amend the foregoing resolution, duly seconded by Legislator Flesland, to add the following:

Legislature	Perkins, Richard	Legislator	01/01/2014-12/31/2015	6	No	15.78
Legislature	Sagliano, Donald	Legislator	01/01/2014-12/31/2015	6	No	13.36

Roll call on the foregoing motion resulted as follows:

AYES: 23 Amparo, Borchert, Farley, Flesland, Horton, Hutchings, Ignaffo, Incoronato, Jeter-Jackson, Johnson, Kelsey, MacAvery, Miccio, Nesbitt, Pulver, Rolison, Roman, Sagliano, Strawinski, Surman, Thomes, Tyner, Weiss

NAYS: 0

ABSENT: 2 Bolner and Perkins

The foregoing motion was adopted.

Legislator Kelsey moved to amend the foregoing resolution, duly seconded by Legislator Flesland, to add "Acting" before the title "Commissioner of Community and Family Services".

Roll call on the foregoing motion resulted as follows:

AYES: 23 Amparo, Borchert, Farley, Flesland, Horton, Hutchings, Ignaffo, Incoronato, Jeter-Jackson, Johnson, Kelsey, MacAvery, Miccio, Nesbitt, Pulver, Rolison, Roman, Sagliano, Strawinski, Surman, Thomes, Tyner, Weiss

NAYS: 0

ABSENT: 2 Bolner and Perkins

The foregoing motion was adopted.

Roll call on the foregoing resolution resulted as follows:

AYES:        23     Amparo, Borchert, Farley, Flesland, Horton, Hutchings,  
                         Ignaffo, Incoronato, Jeter-Jackson, Johnson, Kelsey,  
                         MacAvery, Miccio, Nesbitt, Pulver, Rolison, Roman,  
                         Sagliano, Strawinski, Surman, Thomes, Tyner, Weiss

NAYS:        0

ABSENT:     2       Bolner and Perkins

The foregoing resolution was adopted.

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	absent	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		
Present: <u>10</u>	Resolution: <u>✓</u>	Total : <u>10</u>	<u>0</u>
Absent: <u>2</u>	Motion: <u>    </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2015166 AMENDING RESOLUTION 2014161 ESTABLISHING STANDARD  
WORKDAY FOR ELECTED AND APPOINTED OFFICIALS EFFECTIVE JANUARY  
2014

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	absent	
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 13  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion: ✓

Total: 23 0  
 Yes No  
 Abstentions: 0

DS / AFlesland

6.8.15 Moved to add Don Sagliano to  
 2015166 timekeeping resolution to reflect  
 updated log & to add R. Perkins to  
 correct clerical error.

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	<i>absent</i>	
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 23  
 Absent: 2  
 Vacant: 0

Resolution:       
 Motion: ✓

Total : 23 0  
 Yes No  
 Abstentions: 0

*MK / A Flesland*

*Correct - Community & Family Svs.  
 Jaar - Marzouka, Fatima S from  
 Commissioner to Acting*

*6-8-15  
 2015 166*



# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	absent	
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 23      Resolution: ✓      Total: 23      0  
 Absent: 2      Motion: —      Yes      No  
 Vacant: 0      Abstentions: 0

2015166 AMENDING RESOLUTION 2014161 ESTABLISHING STANDARD WORKDAY FOR ELECTED AND APPOINTED OFFICIALS EFFECTIVE JANUARY 2014

Date: June 8, 2015

BUDGET, FINANCE, AND PERSONNEL

RESOLUTION NO. 2015167

RE: SETTING PUBLIC HEARING FOR DUTCHESS COMMUNITY COLLEGE  
BUDGET FOR JULY 13, 2015

Legislators ROLISON, BORCHERT, HORTON, JOHNSON, STRAWINSKI, SAGLIANO, JETER-JACKSON, PERKINS, and FARLEY offer the following and move its adoption:

WHEREAS, Dutchess Community College will file with the Dutchess County Legislature a Tentative Budget by July 1, 2015, for the academic year commencing September 1, 2015, and now, therefore be it

RESOLVED, that a Public Hearing on said Budget, as provided by statute, be held before the Dutchess County Legislature in the Legislative Chambers, County Office Building, New York at 7:00 PM on the 13<sup>th</sup> day of July 2015, and be it further

RESOLVED, that the Clerk of the County Legislature shall cause notice of said Public Hearing in the following form to be published in the two official newspapers at least five days between the first publication of such notice and the date specified for the hearing:

**NOTICE OF PUBLIC HEARING ON TENTATIVE BUDGET**

**DUTCHESS COMMUNITY COLLEGE**

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Dutchess will meet in the Legislative Chambers, County Office Building, Poughkeepsie, New York at 7:00 PM on the 13<sup>th</sup> day of July 2015, for the purpose of holding a Public Hearing on the Tentative Budget of Dutchess Community College for the period of September 1, 2015 to August 31, 2016.

FURTHER NOTICE, is hereby given that the copies of said Budget are available at the Office of the Clerk of the County Legislature, County Office Building, Poughkeepsie, New York, where they may be examined or procured by interested parties during regular business hours.

APPROVED

MARCUS J. MOLINARO  
COUNTY EXECUTIVE

Date

6/10/2015

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*	absent	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present:	<u>10</u>	Resolution:	<u>✓</u>	Total :	<u>10</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	<u>    </u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2015167 SETTING PUBLIC HEARING FOR DUTCHESS COMMUNITY COLLEGE  
BUDGET FOR JULY 13, 2015

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	<i>absent</i>	
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 23

Absent: 2

Vacant: 0

Resolution: ✓

Motion: —

Total : 23 0

Yes No

Abstentions: 0

2015167 SETTING PUBLIC HEARING FOR DUTCHESS COMMUNITY COLLEGE  
BUDGET FOR JULY 13, 2015

Date: June 8, 2015

BUDGET, FINANCE, & PERSONNEL

RESOLUTION NO. 2015168

RE: HOME RULE REQUEST - RESOLUTION URGING NEW YORK STATE LEGISLATURE TO APPROVE SENATE BILL S.5336 AND ASSEMBLY BILL A.7474 WHICH LEGISLATION ENABLES DUTCHESS COUNTY TO EXTEND AUTHORIZATION FOR AN ADDITIONAL  $\frac{3}{4}$  OF 1% SALES AND COMPENSATING USE TAX

Legislators MICCIO, WEISS, BORCHERT, and FARLEY offer the following and move its adoption:

WHEREAS, this Legislature adopted Resolution No. 2015109, which requested the State Legislature to pass legislation permitting Dutchess County to extend authorization for an additional  $\frac{3}{4}$  of one (1%) percent sales and compensating use tax from November 30, 2015 until November 30, 2017, and

WHEREAS, the New York State Legislature has drafted Senate Bill S.5336 and Assembly Bill A.7474 to authorize the County to extend an additional  $\frac{3}{4}$  of one (1%) percent sales and compensating use tax until November 30, 2017, and

WHEREAS, the 2015 County Budget was proposed in anticipation of receiving the additional revenues associated with the extension of the sales and compensating use tax, now, therefore, be it

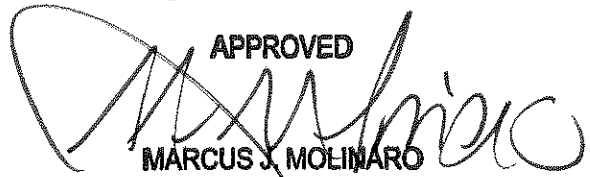
RESOLVED, that the Dutchess County Legislature hereby respectfully requests that the New York State Legislature submit for final consideration and approval a Home Rule Request for the 2015 Legislative Session authorizing the County of Dutchess to extend authorization for an additional  $\frac{3}{4}$  of one (1%) percent sales and compensating use tax through November 30, 2017, and, be it further

RESOLVED, that the enabling legislation be in the form and content as shown in the attached Senate Bill S.5336 and attached Assembly Bill A.7474, and, be it, further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward the appropriate number of copies of this Resolution and Home Rule Request form with appropriate transmittal letters to each house in the New York State Legislature.

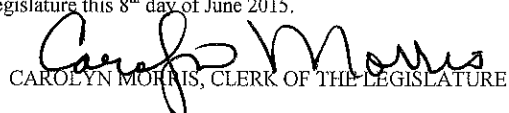
STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 6/7/2015

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## Text

### STATE OF NEW YORK

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5336

2015-2016 Regular Sessions

IN SENATE

May 13, 2015

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Introduced by COMMITTEE ON RULES -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to sales and compensating use tax in Dutchess county

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Clause 29 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by chapter 313 of the laws of 2013, is amended to read as follows:

(29) the county of Dutchess is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is three-quarters of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, two thousand three, and ending November thirtieth, two thousand ~~(fifteen)~~ SEVENTEEN,

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD10916-01-5

## Comments



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## Text

### STATE OF NEW YORK

7474

2015-2016 Regular Sessions

IN ASSEMBLY

May 13, 2015

Introduced by M. of A. SKARTADOS -- read once and referred to the  
Committee on Ways and Means

AN ACT to amend the tax law, in relation to sales and compensating use  
tax in Dutchess county

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

Section 1. Clause 29 of subparagraph (i) of the opening paragraph of  
section 1210 of the tax law, as amended by chapter 313 of the laws of  
2013, is amended to read as follows:

(29) the county of Dutchess is hereby further authorized and empowered  
to adopt and amend local laws, ordinances or resolutions imposing such  
taxes at a rate which is three-quarters of one percent additional to the  
three percent rate authorized above in this paragraph for such county  
for the period beginning March first, two thousand three, and ending  
November thirtieth, two thousand ~~fifteen~~ SEVENTEEN,

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD10916-01-5

## Comments



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## Morris, Carolyn

---

**From:** Caroline Chauvin [chauvin@nysenate.gov]  
**ent:** Tuesday, May 26, 2015 2:04 PM  
**fo:** Morris, Carolyn  
**Subject:** Dutchess County Sales Tax Extender

Hi Carolyn,  
Here are the bill numbers for the Dutchess County sales tax extender.  
We'll need the home rule messages as soon as possible.  
Thanks!  
Caroline

S 5336 RULES Same as A 7474  
Skartados

ON FILE: 05/14/15 Tax Law

TITLE....Relates to sales and  
compensating use tax in Dutchess county  
05/13/15

REFERRED TO INVESTIGATIONS AND  
GOVERNMENT OPERATIONS

05/19/15

1ST REPORT CAL.816

05/20/15

2ND REPORT CAL.

A7474 Skartados Same as S  
5336 RULES

Tax Law

TITLE....Relates to sales and  
compensating use tax in Dutchess  
county  
05/13/15

referred to  
ways and  
means

Caroline Chauvin  
Chief of Staff/Legislative Director  
Office of Senator Sue Serino  
Albany, NY 12247  
Office: (518) 455-2945



**IMPORTANT: READ INSTRUCTIONS ON REVERSE SIDE**  
**HOME RULE REQUEST**  
(Request by a Local Government for Enactment of a Special Law)

To the Legislature:

Pursuant to Article IX of the Constitution, the County of Dutchess requests the enactment of ~~XXXX~~ bill (no. A.2370A),  
(county, city, town or village)  
(name) (strike out one)

HOME RULE REQUEST – RESOLUTION URGING NEW YORK STATE LEGISLATURE TO APPROVE SENATE BILL S. 4338 AND ASSEMBLY BILL A. 2370A WHICH LEGISLATION WOULD ENABLE DUTCHESS COUNTY TO REGULATE THE REGISTRATION AND LICENSING OF TAXICABS, LIMOUSINES, AND LIVERY VEHICLES

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows: (Check appropriate box)

- ☒ The local government does not have the power to enact such legislation by local law.  
☐ Other facts, as set forth in the following "Explanation" establish such necessity.

**EXPLANATION**

(If space below is not sufficient, use separate sheet and attach here)

Such request is made by: (Check appropriate box)

- ☒ The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)  
☐ The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

**READ BEFORE SIGNING**

- A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, both the chief executive officer and the clerk of the local legislative body must sign below. In such case use the word "majority" below even though the vote may have been greater.  
B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, only the clerk of the local legislative body must sign below. In such case use the words "two-thirds" below.

**CHIEF EXECUTIVE OFFICER'S SIGNATURE**

(Signed) Marcus J. Molinaro  
(Print or type name below signature)  
County Executive  
(Title of chief executive officer)

Date: May 12, 20 15

**CLERK'S CERTIFICATION**

I, Carolyn Morris, do hereby certify that I am Clerk of the Legislature of the County of Dutchess and that on the 11th day of May, 20 15, such legislative body, at least ~~two-thirds~~ a majority of the total membership having voted in favor thereof, approved the foregoing request.  
(print or type name) (local legislative body)  
(county, city, town or village)  
(name)  
(strike out one)

(SEAL OF LOCAL GOVERNMENT)

(Signed) Carolyn Morris  
(clerk)  
Carolyn Morris  
(Print or type name below signature)

Date: May 12, 2015



*To the Legislature:*

HOME RULE REQUEST – RESOLUTION URGING NEW YORK STATE LEGISLATURE TO APPROVE SENATE BILL S. 4338 AND ASSEMBLY BILL A. 2370A WHICH LEGISLATION WOULD ENABLE DUTCHESS COUNTY TO REGULATE THE REGISTRATION AND LICENSING OF TAXICABS, LIMOUSINES, AND LIVERY VEHICLES

☒ The local government does not have the power to enact such legislation by local law.  
☐ Other facts, as set forth in the following "Explanation" establish such necessity.

(If space below is not sufficient, use separate sheet and attach here)

☒ The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)

☐ The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

**READ BEFORE SIGNING**

A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, *both* the chief executive officer and the clerk of the local legislative body must sign below. In such case use the word "majority" below even though the vote may have been greater.

B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, *only* the clerk of the local legislative body must sign below. In such case use the words "two-thirds" below.

(Signed) \_\_\_\_\_  
(Title of chief executive officer)  
**Marcus J. Molinaro**  
(Print or type name below signature)  
**County Executive**  
(Title of chief executive officer)

**CLERK'S CERTIFICATION**

I, Carolyn Morris, do hereby certify that I am Clerk of the Legislature of the Dutchess County of the Dutchess County, (county, city, town or village) and that on the 11th day of May, 2015, such legislative body, at least two-thirds of the total membership having voted in favor thereof approved the foregoing request. (strike out one)

(Signed) Carolyn Morris  
(clerk)  
Carolyn Morris  
(Print or type name below signature)

Date: May 12, 2015



# ***Budget, Finance, and Personnel Committee Roll Call***

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Town of Fishkill and City of Beacon	MacAvery*	absent	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)	✓	
District 3 - Town of LaGrange	Borchert (C)	✓	
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 15 - Town of Wappinger	Incoronato	✓	
District 17 - Town and Village of Fishkill	Miccio	✓	
District 22 - Towns of Beekman and Union Vale	Hutchings	✓	
Present: <u>10</u>	Resolution: <u>✓</u>	Total : <u>9</u>	<u>1</u>
Absent: <u>2</u>	Motion: <u>    </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2015168 HOME RULE REQUEST – RESOLUTION URGING NEW YORK STATE LEGISLATURE TO APPROVE SENATE BILL S.5336 AND ASSEMBLY BILL A.7474 WHICH LEGISLATION ENABLES DUTCHESS COUNTY TO EXTEND AUTHORIZATION FOR AN ADDITIONAL ¾ OF 1% SALES AND COMPENSATING USE TAX**

Date: June 4, 2015

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Ignaffo		✓
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	absent	
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 23 0

Absent: 2

Vacant: 0

Resolution: ✓

Motion: —

Total: 21 2

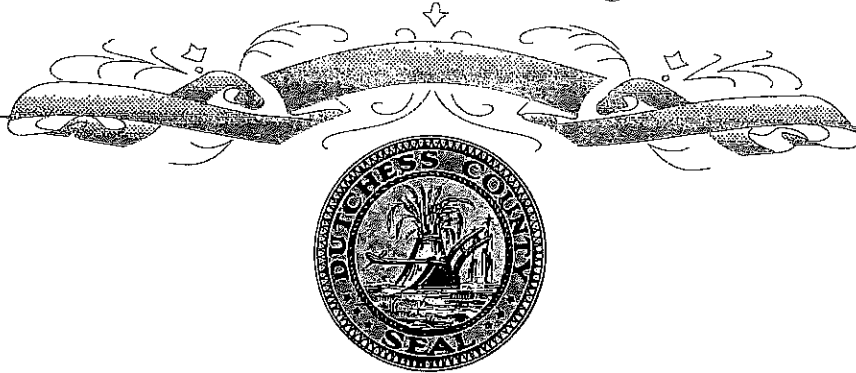
Yes No

Abstentions: 0

**2015168 HOME RULE REQUEST – RESOLUTION URGING NEW YORK STATE LEGISLATURE TO APPROVE SENATE BILL S.5336 AND ASSEMBLY BILL A.7474 WHICH LEGISLATION ENABLES DUTCHESS COUNTY TO EXTEND AUTHORIZATION FOR AN ADDITIONAL ¾ OF 1% SALES AND COMPENSATING USE TAX**

Date: June 8, 2015

# Dutchess County Legislature



Commendation: Kenneth M. Glatt, Ph.D., ABPP

The Dutchess County Legislature offers the following and moves its adoption:

WHEREAS, the Dutchess County Legislature seeks to acknowledge the contributions of individuals who perform public service for Dutchess County, and

WHEREAS, Dr. Kenneth M. Glatt is a board-certified clinical psychologist and had been Dutchess County's Commissioner of Mental Hygiene for the last 35 years, and

WHEREAS, through his commitment to ensure high quality patient care for the residents of Dutchess County, Dr. Glatt has seen an array of innovative services and programs be implemented so that all in need have access to prevention, treatment, and rehabilitation services, which are accessible, affordable, accountable, cost-effective, patient-centered and recovery-oriented, and

WHEREAS, as Commissioner, Dr. Glatt has been responsible for planning, evaluating, and coordinating community-based programs and services to the mentally disabled throughout Dutchess County, and he has overseen the development and fiscal administration of the Department of Mental Hygiene's health system with that of the state and other relevant human services agencies, and

WHEREAS, Dr. Glatt is credited with the installation of the first suicide prevention call boxes to be placed at known suicide-sites and connected to a 24-hour crisis intervention program and were put into use by the NYS Bridge Authority in 2007 and by the NYS Office of Parks, Recreation & Historic Preservation in 2009, and

WHEREAS, Dr. Glatt holds a Doctoral degree in Psychology from New York University, a Master's degree from the University of Minnesota and a Bachelor's Degree from the University of California at Berkeley, and since 1977 has maintained a part-time private practice of psychotherapy and hypnotherapy which he will dedicate more time to in his retirement, and

WHEREAS, Dr. Glatt has retired following more than 35 years of dedicated public service to Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature on behalf of all people of Dutchess County does hereby commend, congratulate and thank Dr. Glatt for his many years of dedication serving the government and residents of Dutchess County, and, be it further

RESOLVED, that the Dutchess County Legislature hereby extends its best wishes to Dr. Glatt in his retirement and offers their best wishes in all of his future endeavors.

STATE OF NEW YORK Resolution No. 2015169

ss:

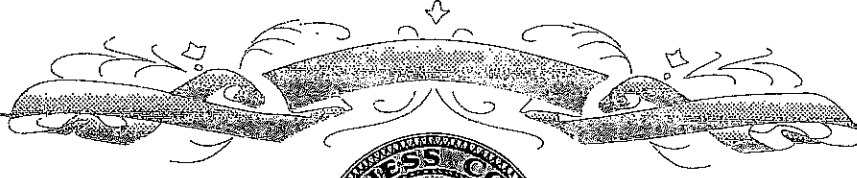
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Legislature



Commendation: Cornell University Cooperative Extension's  
Green Teen Community Gardening Program – Beacon 10<sup>th</sup> Anniversary

Legislator FARLEY offers the following and moves its adoption:

WHEREAS, the Dutchess County Legislature seeks to acknowledge the contributions of individuals and groups that enhance the quality of life in Dutchess County, and

WHEREAS, Cornell Cooperative Extension's Green Teen Community Gardening Program empowers urban youth to be effective community change-agents by immersing them in the local food system and teaches life and work skills through hands-on experiences in farming and gardening, health and nutrition, entrepreneurship and leadership, and

WHEREAS, Green Teen hires youth three times a year for its spring, summer, and fall seasons, and the youth are paid minimum wage to grow food in their gardens and on partnering farms, they grow themselves through personal development and leadership activities, and help grow the community by engaging others and teaching what they have learned, and

WHEREAS, the Green Teen Community Gardening Program has been working in Beacon for over 10 years, since 2004, and has worked in a number of different gardens and currently garden two sites, one at the Beacon Recreation Center, and a second on Main Street, and are expanding, also on Main Street, to a third and largest garden site, and

WHEREAS, the food that is grown in their gardens is largely sold at mobile farmers' markets, used in cooking and nutrition education classes, goes to feed local families in need, or goes home to the Green Teens, and

WHEREAS, since 2004 Green Teen has been working closely with the Beacon City School District for recruiting youth volunteers and potential employees with counselors and teachers as allies in recruitment, and

WHEREAS, the Green Teen Community Gardening Program continues to grow and develop with the help of its partners, funders, and community, but most of all the youth who were willing to get their hands dirty, now, therefore be it

RESOLVED, that the Dutchess County Legislature on behalf of all people of Dutchess County does hereby commend, congratulate, and thank the Cornell Cooperative Extension's Green Teen Community Gardening Program – Beacon on their 10<sup>th</sup> Anniversary, and be it further

RESOLVED, that the Dutchess County Legislature hereby extends its best wishes and continued success to the Cornell Cooperative Extension's Green Teen Community Gardening Program – Beacon and to the youth engaged in this program.

STATE OF NEW YORK Resolution No. 2015170

ss:

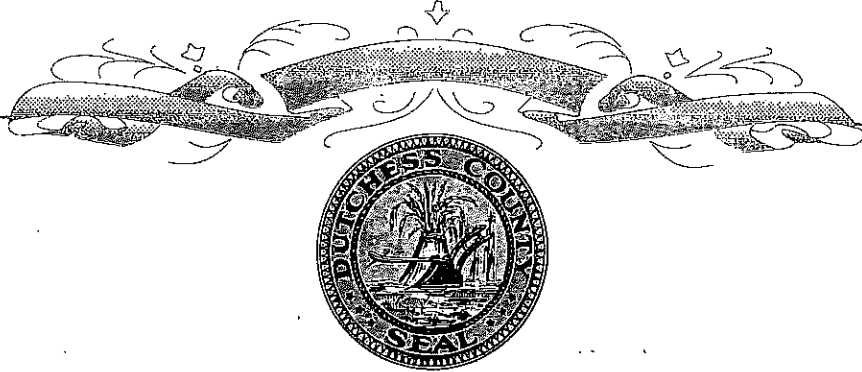
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

*Carolyn Morris*  
CAROLYN MORRIS CLERK OF THE LEGISLATURE

# Dutchess County Legislature



Commendation: Daniel Reilly

Legislator Miccio offers the following and moves its adoption:

WHEREAS, Daniel Reilly has obtained the rank of Eagle Scout, which he will receive at a Court of Honor on June 20, 2015, and

WHEREAS, Daniel Reilly is a member of Boy Scout Troop 95, and

WHEREAS, Daniel Reilly has demonstrated a commitment to the highest ideals of Scouting and to his community earning 26 Merit Badges while obtaining the rank of Eagle Scout, and

WHEREAS, Eagle Scout Daniel Reilly has held the positions of Venture Patrol Leader, Senior Patrol Leader and Junior Assistant Scoutmaster, and

WHEREAS, Daniel's Eagle Scout Project was performed at a storm water treatment area where he cleared and planted its bank to control erosion, and

WHEREAS, Daniel is a Brotherhood Member of the OA, received the 50 Miler Award, BSA Lifeguard, Mile Swim and has received Troop 95 Scout Spirit Award and Leadership Award, and

WHEREAS, Daniel is a senior at John Jay High School where he is a member of the John Jay Debate Club and is taking AP U.S. History, Economics and Participation in Government and plans to attend Dutchess Community College and then transfer to SUNY New Paltz and plans to become a teacher, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Eagle Scout Daniel Reilly, and, be it further

RESOLVED, that the Dutchess County Legislature, does hereby extend to Eagle Scout Daniel Reilly, its best wishes in all of his future endeavors.

Resolution No. 2015171  
STATE OF NEW YORK

ss:

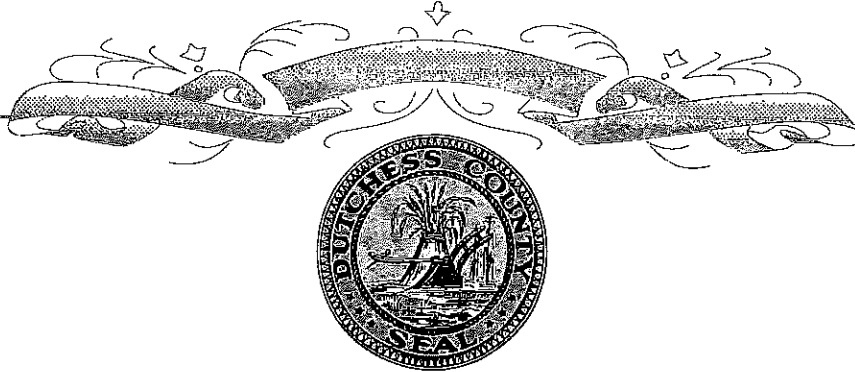
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Legislature



Commendation: Eagle Scout Jared Bucko

Legislator Miccio offers the following and moves its adoption:

WHEREAS, Jared Bucko has obtained the rank of Eagle Scout, which he will receive at a Court of Honor on June 7, 2015, and

WHEREAS, Jared Bucko is a member of Boy Scout Troop 95, and

WHEREAS, Jared Bucko has demonstrated a commitment to the highest ideals of Scouting and to his community earning 51 Merit Badges while obtaining the rank of Eagle Scout, and

WHEREAS, Eagle Scout Jared Bucko has held the positions of Patrol Leader, Troop Guide and Bugler, and

WHEREAS, Jared's Eagle Scout Project was performed at cemetery in East Fishkill, New York, where he rehabilitated the long neglected cemetery that contained the grave of a Revolutionary War soldier, and

WHEREAS, Jared attended the 2010 and 2013 National Jamborees, in 2014 went to Sea Base, attended a 50-miler on the Northville-Placid Trail, went on a high adventure canoe trip in the wilderness of Ontario and earned the World Conservation Award, and

WHEREAS, Jared is a senior at John Jay High School where he is a member of the Jazz Band and leads the John Jay Woodwind Quintet and can play six instruments proficiently, he hopes to attend Bingham Young University and would like to be music teacher, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Eagle Scout Jared Bucko, and, be it further

RESOLVED, that the Dutchess County Legislature, does hereby extend to Eagle Scout Jared Bucko, its best wishes in all of his future endeavors.

Resolution No. 2015172

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

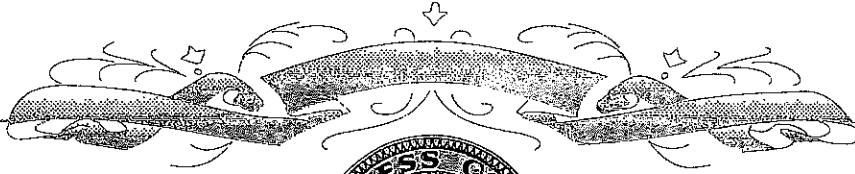
This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE



# Dutchess County Legislature



Commendation: Ed Miller

Legislator BORCHERT offers the following and moves its adoption:

WHEREAS, Ed Miller is a member of Boy Scout Troop 82 and has obtained the rank of Eagle Scout, which he will receive at a Court of Honor on June 20, 2015, at the Trinity United Methodist Church, and

WHEREAS, Ed Miller has demonstrated a commitment to the highest ideals of Scouting and to his community earning 38 Merit Badges while obtaining the rank of Eagle Scout, and

WHEREAS, Eagle Scout Ed Miller has held the positions of Librarian, Troop Guide, and Assistant Senior Patrol Leader, and

WHEREAS, Ed's Eagle Scout Project was performed at Trinity United Methodist Church where he built a sound booth to allow the people controlling the sound during worship to be as efficient and organized as possible which entailed building a platform to elevate the people to see over the crowd creating less interference of sound and less obstacles in their way, and it also included a table on top of the platform to hold both a computer that controls the lyrics, and a sound table that allows the sound board to be at an angle making it easier for the user to control, and he also built a wall that wraps around the table to conceal wires and to prevent equipment from falling with a door on the side to let people in and out of the booth, he also finished the wall off with trim and painted it to match the room, and

WHEREAS, Ed is a senior at Arlington High School, is involved in his church's youth group and lunchbox in Poughkeepsie, and he plans to attend the University of Buffalo to get a degree in structural engineering and then go on to earn a Professional Engineering License, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate Eagle Scout Ed Miller, and, be it further

RESOLVED, that the Dutchess County Legislature does hereby extend to Eagle Scout Ed Miller its best wishes in all of his future endeavors.

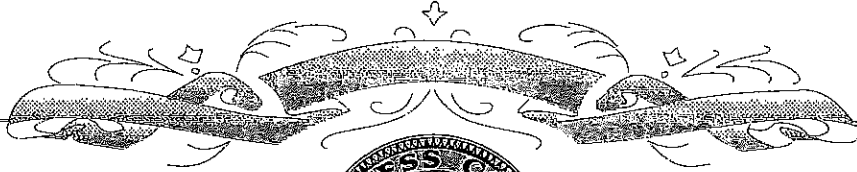
STATE OF NEW YORK Resolution No. 2015173  
ss:  
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June, 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Legislature



Commendation: Benjamin D. Kocik

Legislator STRAWINSKI offers the following and moves its adoption:

WHEREAS, Benjamin D. Kocik has obtained the rank of Eagle Scout, which he will receive at a Court of Honor on June 7, 2015, at Saint Christopher's School, and

WHEREAS, Benjamin D. Kocik is a member of Boy Scout Troop 42 in Red Hook, New York, and

WHEREAS, Benjamin D. Kocik has demonstrated a commitment to the highest ideals of Scouting and to his community, and

WHEREAS, Benjamin D. Kocik has earned 34 Merit Badges while obtaining the rank of Eagle Scout, and

WHEREAS, Eagle Scout Benjamin D. Kocik has held the positions of Troop Librarian and Patrol Leader, and

WHEREAS, Ben's Eagle Scout Project was performed at Saint Christopher's School where he constructed outdoor Stations of the Cross, and

WHEREAS, Ben is a sophomore at Red Hook High School where he is a member and current Vice President of the Robotics Team, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Eagle Scout Benjamin D. Kocik, and, be it further

RESOLVED, that the Dutchess County Legislature does hereby extend to Eagle Scout Benjamin D. Kocik its best wishes in all of his future endeavors.

STATE OF NEW YORK Resolution No. 2015174

ss:

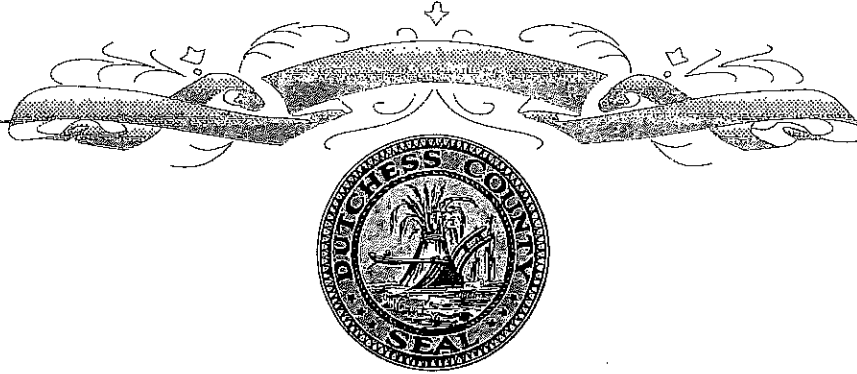
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Legislature



## PROCLAMATION: RECOGNIZING JUNE 12<sup>th</sup> AS WORLD ELDER ABUSE AWARENESS DAY 2015

Legislator HUTCHINGS offers the following and moves its adoption:

WHEREAS, the Dutchess County Legislature and the residents of Dutchess County value the senior members of our community and work together to ensure they live a safe and well cared for life, and

WHEREAS, World Elder Abuse Awareness Day (WEAAD) was first instituted by the International Network for the Prevention of Elder Abuse (INPEA) on June 15, 2006, and

WHEREAS, established in 1997, INPEA has led the way in raising awareness and urging non-governmental organizations, grassroots organizations, and the government to take action to educate private and public agencies to protect elders from abuse and neglect and to preserve the quality of their lives, and

WHEREAS, under the auspices of the Mediation Center of Dutchess County, the Coalition on Elder Abuse in Dutchess County was convened in 2009, comprising of a group of individuals and private and public agencies, with a mission to protect elders from abuse, neglect, and exploitation and to preserve the quality of their lives, and

WHEREAS, World Elder Abuse Day provides an opportunity for communities around the world to promote a better understanding of abuse and neglect of older persons by raising awareness of the cultural, social, economic, and demographic issues impacting elder abuse and neglect, and

WHEREAS, on Friday, June 12, 2015, the Coalition on Elder Abuse in Dutchess County will host a program for "World Elder Abuse Awareness Day 2015" at the Poughkeepsie Elks Lodge #275 in Poughkeepsie, New York, entitled "OLDER ADULTS DESERVE DIGNITY ... ageism is no joke," and

WHEREAS, this year Robert Allers, retired Commissioner of Dutchess County Department of Community and Family Services, will be honored with the "Champion for Elder Rights and Safety Award," now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby proclaim June 12, 2015, as "World Elder Abuse Awareness Day" in Dutchess County and calls upon all citizens, businesses, public and private agencies, media, and religious and educational institutions within the County to actively participate in community efforts to secure the safety and well-being of our senior citizens.

Resolution No. 2015175

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8<sup>th</sup> day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8<sup>th</sup> day of June 2015.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LAI D ON DESKS 6/8/15  
Government Services & Administration  
DISCUSSION ONLY 7/9/15  
DISCUSSION ONLY 8/6/15

RESOLUTION NO. 2015176

RE: LOCAL LAW NO. OF 2015, A LOCAL LAW TO AMEND THE  
ADMINISTRATIVE CODE OF THE COUNTY OF DUTCHESS, IN  
RELATION TO PROHIBITING THE SALE OF PUPPIES AND KITTENS  
BRED IN PUPPY AND KITTEN MILLS

Legislators TYNER, IGNAFFO, MAC AVERY, FARLEY, JOHNSON, and  
STRAWINSKI offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law  
No. \_\_\_\_\_ of 2015 which has been submitted this day for consideration by said Legislature.

**NO FURTHER ACTION TAKEN IN 2015**

STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with  
the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of September, 2015, and that  
the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of September, 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 2015

RE: LOCAL LAW NO. OF 2015, A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF THE COUNTY OF DUTCHESS, IN RELATION TO PROHIBITING THE SALE OF PUPPIES AND KITTENS BRED IN PUPPY AND KITTEN MILLS

Be it enacted by the County of Dutchess as follows:

Section 1. The administrative code of the County of Dutchess is amended by adding a new chapter to read as follows:

Definitions. For the purposes of this chapter, the following terms have the following meanings:

- a. "Animal abuse crime" means a violation of any provision of the agriculture and markets law, or successor laws, or regulations promulgated thereunder pertaining to humane treatment of animals, cruelty to animals, endangering the life or health of an animal, or a violation of any federal, state, or local law pertaining to the care, treatment, sale, possession, or handling of animals or any regulation or rule promulgated pursuant thereto relating to the endangerment of the life or health of an animal.
- b. "Animal rescue group" or "non-profit rescue" shall mean a not-for-profit organization, group or unincorporated entity that accepts unwanted dogs or cats from an animal shelter or other place and attempts to find homes for, and promote adoption of such animals by the general public.
- c. "Convicted" means an adjudication of guilt by any court of competent jurisdiction, whether upon a verdict or plea of guilty, or an order of adjudication withheld by reason of a plea of nolo contendere.
- d. "Dealer" means a pet dealer required to have a license issued by the United States Department of Agriculture pursuant to 7 U.S.C. 54 § 2134 or successor provision of law.
- e. "Federal identification number" means a license or registration number issued by the United States Department of Agriculture pursuant to the Animal Welfare Act, 7 U.S.C. 54, or successor provision of law.
- f. "High volume breeder" means a person who, for compensation or profit, either 1. has an ownership interest in or custody of one or more breeding female dogs and or cats and who sells or offers for sale, via any means of conveyance (including the internet, telephone, or newspaper), more than 50 of the offspring of such breeding female animals for use as pets in any 1-year period; or 2. has an ownership interest in or custody of twenty or more breeding female dogs and/or cats.
- g. "Intermediate handler" means an intermediate handler required to register with the United States Department of Agriculture pursuant to 7 U.S.C. 54 § 2136 or successor provision of law.

h. "Pet shop" means a facility other than an animal shelter where live animals are sold, exchanged, bartered, or offered for sale as pet animals to the general public at retail for profit.

## Section 2. Puppy and Kitten Mill Sales

Prohibited. It shall be unlawful in any pet shop for any person to display, offer for sale, deliver, barter, auction, give away, transfer or sell any dog or cat obtained from:

a. a high volume breeder;

b. a dealer unless such dealer:

1. has such a valid license and such license is active; 2. has not been found in violation of any provision of 7 U.S.C. 54 or successor provision of law or any rule, regulation, or standard promulgated thereunder during the previous twelve months; and 3. provides the name and address of the breeder and, if the breeder is a dealer licensed by the United States Department of Agriculture, the breeder's federal identification number.

c. An intermediate handler unless such intermediate handler:

1. has an active registration status with the United States Department of Agriculture; 2. during the previous twelve months has been cited for no more than three direct violations of 7 U.S.C. 54, or successor provision of law, and/or any rule, regulation, or standard promulgated thereunder; and 3. provides the name and address of the breeder and, if the breeder is a dealer licensed by the United States Department of Agriculture, the breeder's federal identification number.

d. A dealer convicted of an animal abuse crime.

## Section 3. Information statement for purchaser.

a. Every pet shop shall deliver to the purchaser of a cat or dog, at the time of sale in a standardized form prescribed by the commissioner, a written statement containing the following information:

1. For cats:

(a) The breeder's name and address, if known, or, if not known, the source of the cat. If the person from whom the cat was obtained is a dealer licensed by the United States Department of Agriculture, the person's name, address, and federal identification number;

(b) The date of the cat's birth, unless unknown because of the source of the cat, the date the pet shop received the cat, and the location where the cat was received;

(c) A record of immunizations and worming treatments administered, if any, to the cat as of the time of sale while the cat was in the possession of the pet shop, including the dates of administration and the type of vaccines or worming treatments administered;

(d) A record of any known disease, sickness, or congenital condition that adversely affects the health of the cat at the time of sale; and

(e) A record of any veterinary treatment or medication received by the cat while in the pet shop's possession and either of the following:

(i) A statement, signed by the pet shop at the time of sale, indicating all of the following:

(1) the cat has no known disease or illness; and

(2) the cat has no known congenital or hereditary condition that adversely affects the health of the cat at the time of sale; or

(ii) A record of any known congenital or hereditary condition, disease, or illness that adversely affects the health of the cat at the time of sale, along with a statement signed by a licensed veterinarian that authorizes the sale of the cat, recommends necessary treatment, if any, and verifies that the condition, disease or illness does not require hospitalization or nonelective surgical procedures, and is not likely to require hospitalization or nonelective surgical procedures in the future. A veterinarian statement is not required for intestinal or external parasites unless their presence makes the cat clinically ill or is likely to make the cat clinically ill. The statement shall be valid for fourteen business days following examination of the cat by the veterinarian.

## 2. For dogs:

(a) The breeder's name and address, if known, or if not known, the source of the dog. If the person from whom the dog was obtained is a dealer licensed by the United States Department of Agriculture, the person's name, address, and federal identification number;

(b) The date of the dog's birth and the date the pet dealer received the dog. If the dog is not advertised or sold as a purebred, registered or registrable, the date of birth may be approximated if not known by the seller;

(c) The breed, sex, color and identifying marks at the time of sale. If the dog is from a United States Department of Agriculture licensed source, the individual identifying tag, tattoo, or collar number for that animal. If the breed is unknown or mixed, the record shall so indicate. If the dog is being sold as being capable of registration, the names and registration numbers of the sire and dam, and the litter number, if known;

(d) A record of inoculations and worming treatments administered, if any, to the dog as of the time of sale while the dog was in the possession of the pet dealer, including dates of administration and the type of vaccines and/or worming treatments administered;

(e) A record of any veterinary treatment or medication received by the dog while in the possession of the pet dealer and either of the following:

(i) A statement, signed by the pet shop at the time of sale, indicating all of the following:

(1) the dog has no known disease or illness; and

(2) the dog has no known congenital or hereditary condition that adversely affects the health of the dog at the time of the sale; or

(ii) A record of any known congenital or hereditary condition, disease or illness that adversely affects the health of the dog at the time of sale, along with a statement signed by a licensed veterinarian that authorizes the sale of the dog, recommends necessary treatment, if any, and verifies that the condition, disease, or illness does not require hospitalization or nonelective

surgical procedures, and is not likely to require hospitalization or nonelective surgical procedures in the future. A veterinarian statement is not required for intestinal or external parasites unless their presence makes the dog clinically ill or is likely to make the dog clinically ill. The statement shall be valid for fourteen business days following examination of the dog by the veterinarian.

(f) Notification that dogs residing in New York state must be licensed, and that a license may be obtained from the municipality in which the dog resides.

b. A disclosure made pursuant to paragraph a of this section shall be signed by both the pet dealer certifying the accuracy of the statement and the purchaser acknowledging receipt of the statement.

c. Every pet dealer shall post conspicuously within close proximity to the cages of dogs and cats offered for sale, a notice containing the following language in one hundred-point type:  
"Information on the source of these dogs and cats and the veterinary treatments received by these dogs and cats is available for review by prospective purchasers."

#### Section 4. Recordkeeping.

a. Each pet shop shall keep and retain for five years after taking possession of any dog or cat records and documentation with respect to the purchase, sale, intermediate handlers, brokers, transportation, breeding, medical care and condition, identification, and previous ownership of such animal. Such documentation and records shall be made available at all reasonable times for inspection and copying by the department. Such records and documentation shall include the following information:

1. Proof of purchase, adoption, or acceptance of such animal evincing the source from which such pet shop obtained such animal;
2. The breeder's name and address. If the breeder is a dealer licensed by the United States Department of Agriculture, the breeder's name, address, and federal identification number;
3. If the source from which a pet shop obtained such animal is a person other than the breeder, such person's name and address. If such person is a dealer or intermediate handler, such person's name, address, and federal identification number;
4. The date of the animal's birth, the date the pet shop received the animal, and the location where the animal was received. If the animal is not advertised or sold as a purebred, registered or registrable, the date of birth may be approximated if not known by the seller;
5. The breed, sex, color and identifying marks at the time of sale. If the breed is unknown or mixed, the record shall so indicate.
6. A record of immunizations and worming treatments administered, if any, to such animal as of the time of sale while such animal was in the possession of the pet shop, including the dates of administration and the type of vaccines or worming treatments administered;
7. A record of any known disease, sickness, or congenital condition that adversely affects the health of the animal at the time of sale to the public;
8. A record of any veterinary treatment or medication received by the animal while in the possession of the pet shop;



9. A copy of any written statement provided to the purchaser pursuant to section 3 of this chapter, signed by the pet shop certifying its accuracy and signed by the purchaser acknowledging its acceptance.
10. The name and address of the person to whom the animal was sold or given for adoption.
11. Such other records and documentation as deemed necessary by the commissioner in accordance with rules promulgated by the department.
  - a. In addition to the documentation and records required under subdivision a of this section, pet stores must keep and maintain the following records for transactions involving one or more dogs:
    1. If the pet shop obtained such dog from a United States department of agriculture licensed source, the individual identifying tag, tattoo, or collar number for such animal.
    2. If such dog is being sold as registered or being capable of registration, the names and registration numbers of the sire and dam, and the litter number, if known;
    3. If the pet shop has submitted a license application for such dog pursuant to section 6 of this chapter, a copy of such application.
    4. If the pet shop has released such dog to a purchaser without first submitting a license application, a written statement provided by the purchaser stating that the dog is to be harbored outside Dutchess County.

#### Section 5. Animal Source Certification.

- a. Every pet shop required to have a permit issued by the commissioner shall provide to the commissioner with every application for such permit or renewal thereof an annual certification, executed under penalty of perjury, confirming that during the previous twelve months such pet shop has not sold any animals obtained from a source prohibited pursuant to section 2 of this chapter. Such certification shall include the following:
  1. The name and address of every source from which such pet shop obtained a dog or cat during the same period, and for dogs and cats obtained from sources other than the breeders, the name and address of each breeder;
  2. The number of dogs and cats obtained from each source;
  3. The number of dogs and cats originating with each breeder who is not a source; and
  4. If a source or a breeder who is not a source is licensed by the United States Department of Agriculture pursuant to 7 U.S.C. 54 § 2136 or successor provision of law:
    - (a) the department of agriculture license number of such source or breeder; and
    - (b) the individual identifying tag, tattoo, or collar number of each dog obtained from such source or breeder.
- b. Notwithstanding the aforementioned certification, a pet shop submitting an application for a permit or renewal permit less than twelve months after the effective date of this section shall not be required to certify the statements listed in subdivision a of this section except with respect to animals such pet shop receives after the effective date of this section.
- c. The department may inspect the records maintained pursuant to section 17-1704 of this chapter to verify the authenticity of the certifications submitted pursuant to subdivision a of this section.

#### Section 6. Minimum standards of animal care.

a. Pet shops shall comply with the following minimum standards of care for every animal in their custody or possession:

1. Housing. (a) Animals shall be housed in primary enclosures or cages, which shall be constructed so as to be structurally sound. Such enclosures shall be maintained in good repair to contain the animal housed inside and protect it from injury. Surfaces shall have an impervious surface so as not to permit the absorption of fluids and which can be thoroughly and repeatedly cleaned and disinfected without retaining odors.

(b) Primary enclosures or cages housing the animals shall provide sufficient space to allow each animal adequate freedom of movement to make normal postural adjustments, including the ability to stand up, turn around, and lie down with its limbs outstretched. If the flooring is constructed of metal strands, such strands must either be greater than one-eighth inch in diameter (nine gauge wire) or shall be coated with a material such as plastic or fiberglass, and shall be constructed so as not to allow passage of the animal's feet through any opening in the floor of the enclosure. Such flooring shall not sag or bend substantially between structural supports.

(c) Housing facilities shall be adequately ventilated at all times to provide for the health and well-being of the animal. Ventilation shall be provided by natural or mechanical means, such as windows, vents, fans, or air conditioners.

Ventilation shall be established to minimize drafts, odors, and moisture condensation.

(d) The temperature surrounding the animal shall be compatible with the health and well-being of the animal. Temperature shall be regulated by heating and cooling to sufficiently protect each animal from extremes of temperature and shall not be permitted to fall below or rise above ranges which would pose a health hazard to the animal.

This shall include supplying shade from sunlight by natural or artificial means.

(e) The indoor facilities housing the animals shall be provided with adequate lighting sufficient to permit routine inspection and cleaning and be arranged so that each animal is protected from excessive illumination which poses a health hazard to the animal.

(f) The indoor and outdoor facilities housing the animals, including the primary enclosure or cage, shall be designed to allow for the efficient elimination of animal waste and water in order to keep the animal dry and prevent the animal from coming into contact with these substances. If drains are used they shall be constructed in a manner to minimize foul odors and backup of sewage. If a drainage system is used it shall comply with federal, state, and local laws relating to pollution control.

(g) In the event that a pet shop has a pregnant or nursing dog on its premises, the pet shop shall provide a whelping box for such dog.

(h) Pet shops shall designate and provide an isolation area for animals that exhibit symptoms of contagious disease or illness. The location of such designated area must be such as to prevent or reduce the spread of disease to healthy animals.

2. Sanitation. Housing facilities, including primary enclosures and cages, shall be kept in a clean condition in order to maintain a healthy environment for the animal. This shall include removing and destroying any agents injurious to the health of the animal and periodic cleanings. The primary enclosure or cage shall be constructed so as to eliminate excess water, excretions, and waste material. Under no circumstances shall the animal remain inside the primary enclosure or cage while it is being cleaned with sterilizing agents or agents toxic to animals or cleaned in a manner likely to threaten the health and safety of the animal.

Trash and waste products on the premises shall be properly contained and disposed of so as to minimize the risks of disease, contamination, and vermin.

3. Feeding and watering. (a) Animals shall be provided with wholesome and palatable food, free from contamination and of nutritional value sufficient to maintain each animal in good health.

(b) Animals shall be adequately fed at intervals not to exceed twelve hours or at least twice in any twenty-four hour period in quantities appropriate for the animal species and age, unless determined otherwise by and under the direction of a duly licensed veterinarian.

(c) Food receptacles shall be provided in sufficient number, size, and location as to enable each animal in the primary enclosure or cage to be supplied with an adequate amount of food.

(d) Animals shall be provided with regular access to clean, fresh water, supplied in a sanitary manner sufficient for its needs, except when there are instructions from a duly licensed veterinarian to withhold water for medical reasons.

4. Handling. Each animal shall be handled in a humane manner so as not to cause the animal physical injury or harm.

5. Veterinary care. (a) Any pet shop duly permitted pursuant to this chapter shall designate an attending veterinarian, who shall provide veterinary care to the shop's animals which shall include a written program of veterinary care and regular visits to the pet shop's premises. Such program of veterinary care shall include:

(i) The availability of appropriate facilities, personnel, equipment, and services to comply with the provisions of this article;

(ii) The use of methods determined to be appropriate by the attending veterinarian to prevent, control, and respond to diseases and injuries, and the availability of emergency, weekend, and holiday care;

(iii) Daily observation of all animals to assess their health and well-being; provided, however, that daily observation of animals may be accomplished by someone other than the attending veterinarian who has received the guidance identified in subparagraph (iv) of this paragraph; and provided, further, that a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian;

(iv) Adequate guidance to personnel involved in the care and use of animals regarding handling and immobilization; and

(v) Pre-procedural and post-procedural care in accordance with established veterinary medical and nursing procedures.

(b) All animals shall be inoculated as required by state or local law. Veterinary care appropriate to the species shall be provided without undue delay when necessary. Each animal shall be observed each day by the pet shop or by a person working under the pet shop's supervision.

(c) Within five business days of receipt, but prior to sale of any dog, the pet shop shall have a duly licensed veterinarian conduct an examination and tests appropriate to the age and breed to determine if the animal has any medical conditions apparent at the time of the examination that adversely affect the health of the animal. For animals eighteen months of age or older, such examination shall include a diagnosis of any congenital conditions that adversely affect the health of the animal. Any animal diagnosed with a contagious disease shall be treated and caged separately from healthy animals.

(d) If an animal suffers from a congenital or hereditary condition, disease, or illness which, in the professional opinion of the pet shop's veterinarian, requires euthanasia, the veterinarian shall humanely euthanize such animal without undue delay.

(e) In the event an animal is returned to a pet shop due to a congenital or hereditary condition, illness, or disease requiring veterinary care, the pet shop shall, without undue delay, provide the animal with proper veterinary care.

6. Exercise requirements. Pet shops shall develop, maintain, document, and implement an appropriate plan to provide dogs with the opportunity for daily exercise. In developing such plan, consideration should be given to providing positive physical contact with humans that encourages exercise through play or other similar activities. Such plan shall be approved by the attending veterinarian, and must be made available to the department upon request.

SECTION 7. This local law shall take effect sixty days after its enactment into law.

The foregoing Resolution No. 2015176, was laid on desks on June 8, 2015, and offered for discussion only at the July 9, 2015, and August 6, 2015 Government Services and Administration Committee. No further action was taken in 2015.

L Aid ON DESKS 6/8/15  
Government Services & Administration  
DISCUSSION ONLY 7/9/15  
REVISED 7/15/15

RESOLUTION NO. 2015177

RE: LOCAL LAW NO. OF 2015, THE DUTCHESS COUNTY PLASTIC BAG  
LAW OF 2015

Legislators TYNER, MAC AVERY, FARLEY, and STRAWINSKI offer the following  
and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No. \_\_\_\_  
of 2015 which has been submitted this day for consideration by said Legislature.

**NO FURTHER ACTION TAKEN IN 2015**

STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution  
with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16<sup>th</sup> day of September 2015,  
and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16<sup>th</sup> day of September 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO.        OF 2015

RE:    LOCAL LAW NO.        OF 2015, THE DUTCHESS COUNTY PLASTIC BAG  
      LAW    OF 2015

Be it enacted by the County of Dutchess as follows:

Section 1. Legislative purpose.

The intent of this chapter is to improve the environment in the County of Dutchess by encouraging the use of reusable checkout bags and banning the use of plastic bags for retail checkout of purchased goods. Retail establishments are encouraged to make reusable bags available for sale.

Section 2. Findings.

Plastic bags often are discarded into the environment and end up polluting our waterways, clogging sewers, endangering marine life, and causing unsightly litter. These bags last hundreds of years in landfills and are a potential source of harmful chemicals when they do break down.

Section 3. Definitions.

For the purposes of this chapter, the following words, terms and phrases shall have the following definitions:

CHECKOUT BAG

A carry-out bag that is provided to a customer at the point of sale. The term "checkout bag" does not include plastic produce bags, garment bags, or plastic bags measuring 28 inches by 36 inches or larger in size.

GARMENT BAG

A large plastic bag with two openings that is used to transport clothing from a clothing retailer or a garment cleaner such as a dry cleaner.

PLASTIC PRODUCE BAG

A bag made of very thin plastic used to transport produce, meats or other items selected by customers.

RECYCLABLE PAPER BAG

A paper bag that should have the following characteristics:

A. Contains no old growth fiber;

B. Is 100% recyclable overall and contains a minimum of 40% postconsumer recycled content;  
and

C. Displays the words "reusable" and "recyclable" on the outside of the bag.

#### RETAIL SALES

The transfer to a customer of goods in exchange for payment occurring in retail stores, sidewalk sales, farmers' markets, flea markets and restaurants. The term "retail sales" does not include sales of goods at libraries, schools, yard sales, tag sales, and other sales by residents at their homes.

#### REUSABLE BAG

A bag with handles that is specifically designed and manufactured for multiple reuse and is:

A. Made of cloth or other fabric; and/or B. Made of durable plastic that is at least 2.25 mils thick.

#### Section 4. Restriction on checkout bags.

Any person engaged in retail sales shall provide only reusable bags and/or recyclable, biodegradable bags and/or recyclable paper bags as checkout bags to customers.

#### Section 5. Penalties for offenses; continuing violations.

A. In the event that there is noncompliance with this chapter, the owner or local manager shall be notified in writing with a first-time warning and shall forthwith stop the violating activity. Such notice shall be served upon the person to whom it is directed either by delivering it personally to him or her or by posting the same upon a conspicuous portion of the property and sending a copy of the same by certified mail. Such notice shall provide a period of 10 business days to cure such violation and come into compliance with this chapter, after which a violation and summons may be issued.

B. The penalty for each violation thereafter shall be a fine not exceeding \$75 for each offense.

C. Each day that such violation continues shall constitute a separate violation and shall be punishable as such.

#### Section 6. Effective date.

This chapter shall become effective on January 1, 2016, to allow retail establishments to dispose of their existing inventory of plastic checkout bags and convert to alternative packaging materials.



Advocates of the  
Food Industry  
Since 1900



## FOOD INDUSTRY ALLIANCE OF NEW YORK STATE, INC.

130 Washington Avenue • Albany, NY 12210 • Tel (518) 434-1900 • Fax (518) 434-9962  
Government Relations (518) 434-8144

July 16, 2015

Dutchess County Legislators  
County Office Building  
22 Market Street  
Poughkeepsie, NY 12601

VIA EMAIL

RE: Plastic Bag Ban

Dear Legislators:

The Food Industry Alliance of New York State, Inc. (FIA) is a statewide not-for-profit trade association representing the interests of all sizes of food stores as well as some drug stores and convenience stores. Our members in Dutchess County include A&P, Hannaford, Price Chopper, Shop Rite, Stop and Shop and independent grocers.

I am writing to ask that you consider the following before considering a plastic bag ban:

State Policy Chose Recycling Over Bans - By enacting the Plastic Bag Reduction, Reuse and Recycling Act in 2008 and then expanding that law to include plastic film in 2014 (Environmental Conservation Law sections 27-2701 – 27-2713), the state, as a matter of law and policy, chose reduce, reuse and recycle over bans ***and preempted localities from regulating in this area***. In adopting that law, state elected officials concluded that the people of New York are responsible enough to make decisions that enhance sustainability. Accordingly, the proposed ban is prohibited under state law, conflicts with the clear policy choice of the state and rests on the false premise that the residents of Dutchess cannot be trusted to make responsible decisions about sustainability. FIA is currently litigating the preemption issue before the Supreme Court of Westchester County.

As proof of the state policy, when the state legislature passed the bill in 2014 to expand plastic bag recycling law to include film plastic, the Department of Environmental Conservation filed a statement in support

State Recycling Law a Success - The Plastic Bag Reduction, Reuse and Recycling Act requires larger retailers who provide free plastic checkout bags to place collection bins in stores and recycle the plastic. Food stores take back plastic bags as well as plastic wrap, dry cleaners bags, newspaper bags and plastic film from all sources, not just the bags we distribute. The success of our efforts is striking: From January 2014 through February

2015, our members recycled approximately **8,252 tons** of commingled plastic bags, film and wrap. These recycled bags and film are manufactured into new bags and other items like plastic boards. As the law has been in effect since 2009, tonnage recycled to date is far greater than that striking figure. Clearly, reuse and recycling of plastic bags exceeds, by far, the relatively small amount of plastic bag litter generated (a discussion of plastic bag litter is provided below).

Plastic Bag Bans Mean No Retail Recycling - State law is clear that only retailers who distribute plastic bags, for free, at checkout are required to collect and recycle plastic bags, film and wrap. Additionally, state law preempts a county from enacting a local law regarding plastic recycling (En. Con. Law 27-2713). Therefore, if Dutchess enacts a ban, retailers would no longer be required to recycle, including plastic bags/film/wrap brought into the county from other jurisdictions. This will harm the local environment, not make it better.

Plastic Bags Use Less Energy and Raw Materials - Because they are smaller and weigh less, much less energy and raw materials are needed to make plastic bags than paper or reusable bags. Accordingly, the environmental performance of plastic bags is actually superior to paper or reusable bags in the stages that primarily influence environmental performance - the resource use and production stages (this is discussed in the next paragraph).

According to the U.K. Environment Agency, the Ban Activists' Case is Wrong - The first finding of the Executive Summary of the 2011 U.K. Environment Agency study undercuts the essence of the ban activists' case: "The environmental impact of all types of carrier bag[s] is dominated by resource use and production stages. *Transport, secondary packaging and end-of-life management generally have a minimal influence on their performance* (bold and italics added)." Litter is part of end-of-life management. Thus, it has a "*minimal influence*" on the environmental performance of plastic bags. Accordingly, the main argument of the activists is: Since plastic bags have a "minimal influence" on environmental performance, they should be banned.

Litter Claim Is Exaggerated - Regarding the alleged litter problem, according to the EPA, ***plastic bags account for less than one half of 1 percent of the U.S. municipal solid waste stream.*** Moreover, a summary by Environmental Resources Planning of recent science-based litter surveys in 20 jurisdictions (including 19 localities in the U.S and Canada as well as the state of Florida) using random sampling methodologies found that retail plastic bags comprise a minor portion of litter, usually less than 1 percent. Finally, according to California's Statewide Waste Characterization Study, plastic bags (including grocery and other merchandise bags) account for just **0.3%** of the waste stream in the state. In comparison, organic waste makes up 32% while construction debris comprises about 30%.

Greenpeace - The ban case in general rests on false, exaggerated or uncorroborated claims. For example, regarding alleged harm to marine wildlife, Greenpeace marine biologist David Santillo, quoted in an article in the London Times, said "It's very unlikely that many animals are killed by plastic bags. It doesn't do the Government's case any favours *if you've got statements being made that aren't supported by the scientific literature that's out there... On a global basis plastic bags aren't an issue. It would be great if statements like these weren't made* (bold and italics added)."

Paper Bags Are More Harmful to the Environment - Paper bags are more harmful to the environment than plastic. Not only are more energy and raw materials needed to make paper than plastic bags, according to the United Kingdom's Environment Agency's 2011 study, paper bags *have a worse effect on the environment than plastic bags in all nine environmental impact categories*. In addition, paper bags, if they biodegrade, decompose into methane. According to a July 2013 briefing note from the British Columbia Environment Ministry staff, methane emissions are a particular concern since they have a global warming impact *21 times higher* than carbon dioxide. Paper bag use surges after localities ban plastic bags. Accordingly, this legislation will harm, rather than help, the environment.

Dutchess Must Comply With SEQRA - In light of this complicated environmental picture, it is clear that the Dutchess is required under SEQRA to perform a full environmental review, including preparation of an Environmental Impact Statement as well as consideration of all pertinent environmental impacts (including health and socio-economic impacts), prior to voting on the proposed local law. Under SEQRA, the threshold for determining whether an agency must prepare an EIS is low: an EIS is required for any action that "*may* include the potential for at least one significant adverse environmental impact (bold and italics added)." In addition, SEQRA compliance requires, among other things, that the lead agency identify the "relevant areas of environmental concern," take a "hard look" at them and make a "reasoned elaboration" of the basis for its determination.

## Conclusion

For the reasons cited above, we respectfully request that a collaborative effort involving the Food Industry Alliance, our member stores operating in Dutchess and the county be established. The goal of the effort would be to enhance existing reduce, reuse and recycle efforts consistent with state law and policy. Should you choose to move forward with consideration of the proposed local law, SEQRA compliance cannot occur without a full environmental review, including preparation of an EIS as well as consideration of all pertinent environmental impacts (including health and socio-economic impacts), prior to a vote on the proposed local law.

Thank you for your time and attention to the Food Industry Alliance's concerns.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'MR' followed by a stylized flourish.

Michael E. Rosen  
President & CEO

CC: FIA Dutchess County Members

Ted Potrikus, President, Retail Council of New York State

Jim Calvin, President, New York Association of Convenience Stores

The foregoing Resolution No. 2015177, was laid on desks on June 8, 2015, and offered for discussion only at the July 9, 2015, Government Services and Administration Committee. No further action was taken in 2015.

On motion by Legislator Flesland, duly seconded by Legislator Miccio and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non-agenda items.

No one wishing to speak, on motion by Legislator Flesland, duly seconded by Legislator Pulver and carried, the Regular Order of Business was resumed.

There being no further business, the Chairman adjourned the meeting at 8:20 p.m.